Ronald Day, LCSW

Current Stipulation

Signed by Mr. Day October 29, 2013
Effective September 4, 2013

L. MITCHELL JONES (U.S.B. 5979)
Assistant Attorney General
JOHN E. SWALLOW (U.S.B. 5802)
Attorney General
Commercial Enforcement Division
Heber M. Wells Building
Box 146741
Salt Lake City, UT 84114-6741
Telephone: (801) 366-0310

BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING

OF THE DEPARTMENT OF COMMERCE

OF THE STATE OF UTAH

IN THE MATTER OF THE LICENSE OF	)	
RONALD DALE DAY	)	STIPULATION AND ORDER
TO PRACTICE AS A LICENSED	)	
CLINICAL SOCIAL WORKER	)	CASE NO. DOPL 2013- 367
IN THE STATE OF UTAH	)	

RONALD DALE DAY ("Respondent") and the **DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING** of the Department of Commerce of the State of Utah ("Division") stipulate and agree as follows:

1. Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action.

2. Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily.

3. Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter.

4. Respondent understands that Respondent is entitled to a hearing before the State of Utah's Social Worker Licensing Board ("Board"), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses. Respondent understands that by signing this document Respondent hereby waives the right to a hearing, the right to present evidence on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing. Respondent understands that by signing this document Respondent hereby knowingly and intelligently waives the right to all administrative and judicial review as set forth in Utah Code Ann. §§ 63G-4-301 through 63G-4-405, and Utah Administrative Code R151-46b-12 through R151-46b-15. Respondent and the Division hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann. § 63G-4102(4).

5. Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter.

6. Respondent acknowledges that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document. The Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent, to other persons and entities.

7. Respondent admits the following facts are true:

   a. Respondent was first licensed as a licensed clinical social worker in the State of Utah on or about September 5, 1991.

   b. On June 28, 2011 Respondent was issued a letter of concern by the Division due to boundary issues Respondent was having with a client.

   c. In 2013, on multiple occasions, Respondent provided counseling to a female client. During the counseling Respondent engaged in inappropriate sexual discussions that had nothing to do with the client's alcohol problems.

8. Respondent admits that Respondent's conduct described above is unprofessional conduct as defined in Utah Code Ann. § 58-1-501(2)(a), (b), and (k), Utah Administrative Code R156-60a-502(9) and (24), and Principles 1.01, 1.06 and 4.03 of the Code of Ethics of the National Association of Social Workers, and that said conduct justifies disciplinary action against Respondent's license pursuant to Utah Code Ann. § 58-1-401(2)(a). Respondent agrees that an Order, which constitutes disciplinary action against Respondent's license by the Division pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann. § 58-1-401(2), shall be entered in this matter as follows:

(1) Respondent's license shall be revoked. The revocation of Respondent's license shall be immediately stayed and Respondent's license shall be subject to a term of probation for a period of three years. The period of probation shall commence on the effective date of this Stipulation and Order, which is the date the Division Director signs the Order. During the period of probation, Respondent shall be subject to all of the following terms and conditions. If the Board or Division later deems any of the conditions unnecessary such deletions may be made by an amended order issued unilaterally by the Division.

   (a) **Meetings with Division Compliance Specialist**. Respondent shall contact Division Compliance Specialist Susan Higgs within two weeks of the effective date of this Order to schedule a meeting for the purpose of discussing the terms of the Order. An appointment with Ms. Higgs can be scheduled by contacting her by phone at (801) 530-6428 or by email at shiggs@utah.gov.

(b) **Meetings with the Board**. Respondent shall meet with the Board and Division at the first scheduled Board meeting after the signing of the accompanying Order and or at a frequency thereafter as determined by the Board and Division, for the duration of the probationary period to assess the progress of Respondent's probation.

(c) **Written Plan**. After meeting with the Division Compliance Specialist but prior to the first scheduled appointment with the Board, Respondent shall submit to the Division a written plan that summarizes the steps Respondent shall take to ensure full compliance with the terms of probation.

(d) **Supervision Required**. Respondent shall practice only under the supervision of a Division and Board pre-approved supervisor during the term of Respondent's probation. Any changes in supervision may be made only with the consent of the Division and Board. Respondent shall deliver a copy of this Order to Respondent's supervisor (within ten days of the establishment of the supervisory relationship) and cause Respondent's supervisor to notify the Division in writing that a copy has been received. Respondent shall submit a supervision plan to the Division within 30 days of the effective date of this Stipulation and Order which includes a provision that Respondent shall show her supervisor for a period of time during the first six months of her probation.

(e) **Extent of Supervision**. Respondent shall meet weekly with Respondent's supervisor. Supervision goals shall include concurrent management, oversight of therapeutic intervention services, appropriate boundaries, professional relationships and practices, and appropriate and timely documentation. The supervisor shall sit in on, videotape, or audio tape, at least three individual clinical sessions per month and two group sessions per month. The supervisor shall choose which clinical sessions to sit in on, videotape, or audio tape. The supervisor shall review 20% of Respondent's current patient files. The supervisor shall choose which files shall be reviewed.

(f) **Duties of Supervisor**. The supervisor shall oversee clinical interventions and review records. The supervisor shall also address issues pertaining to boundary violations, dual relationships, transference and counter-transference, and other issues the supervisor determines are pertinent to ethical practice.

(g) **Supervisor Reports**. Respondent shall cause Respondent's supervisor to

submit reports to the Board and Division assessing Respondent's compliance with the terms of Respondent's probation and ethical standards and rules. The reports shall be submitted monthly for the first six months and quarterly thereafter, or at such frequency as directed by the Board and Division. The receipt of an unfavorable report may be considered to be a violation of probation.

(h) **Supervisor Reports if Respondent Not Employed.** If Respondent is not currently employed in Respondent's licensed profession, Respondent shall submit the supervisor report form on the date it is due and indicate on the form that Respondent is not currently employed in Respondent's licensed profession, or that Respondent is not currently working.

(i) **Notification of Employer of Stipulation.** Respondent shall notify any employer of Respondent's restricted status and the terms of this Stipulation and Order. Respondent shall provide a copy of this Stipulation and Order to Respondent's employer and cause Respondent's employer to acknowledge to the Division and Board in writing that a copy of the Order has been provided to the employer. The employer shall submit employer reports to the Division and Board on a monthly basis for the first six months and quarterly thereafter, or at such frequency as directed by the Division or Board. The employer shall write the Division and indicate whether the employer will provide the periodic employer reports.

(j) **Evaluation.** Respondent shall successfully complete any type of evaluation provided by a Division-approved licensed provider within ninety (90) days of the effective date of this Stipulation and Order. Respondent shall schedule the initial appointment to be held within 45 days of the effective date of this Stipulation and Order. Respondent shall attend all appointments and follow-up appointments in a timely manner. Respondent shall cooperate fully with the evaluator to ensure a fair and complete evaluation. Respondent shall notify the Division immediately after successfully completing the evaluations and inform the Division that Respondent has successfully completed the evaluations.

(k) **Ongoing Therapy and Release of Information.** Respondent shall attend any therapy recommend in any evaluation report until the Division or Board decides otherwise. Respondent shall successfully complete any therapy or treatment recommended by the psychological evaluation report in a timely manner. Respondent shall follow any treatment recommendations made by the evaluator, the Division, and/or Board. Respondent shall execute any necessary releases to allow the therapist to

provide reports to the Division and Board regarding Respondent's progress. Respondent's therapy should focus on the areas of concern identified by the evaluator. Respondent shall cause progress reports to be submitted to the Division and Board by the therapist on a quarterly basis, or at a greater or lesser frequency as determined by the Division and Board. Respondent shall be responsible for all treatment expenses.

(l) **Additional Continuing Professional Education.** Respondent shall complete three additional hours of continuing professional education, pre-approved by the Board and Division, in the area of Respondent's licensed field of practice focusing on dual and multiple relationships and boundaries. The three additional hours of continuing professional education shall be completed within one year from the date of this Stipulation and Order. The three additional hours of continuing education hours shall not count toward the regular continuing professional education requirement for license renewal. Respondent shall provide documentation to the Division and Board of successful completion of the three additional hours.

(m) **Essay**. Respondent shall submit a 500 word essay to the Division and Board addressing Respondent's violations and applicable Utah law that applies to Respondent's violations. The essay shall also address lessons learned from the continuing education courses described in subparagraph (l) above and outline a plan for Respondent to avoid similar violations in the future. The essay shall be submitted with 30 days of Respondent successfully completing the continuing education courses described in subparagraph (l) above.

(n) Respondent shall notify the Division and Board within one (1) week of any change of employer or employment status. This is required regardless of whether Respondent is employed in Respondent's licensed occupation. The notification shall be in writing.

(o) **Prohibition on Supervision**. Respondent shall not supervise any other mental health provider. Respondent shall limit Respondent's practice in accordance with the terms of probation, unless the Division and the Board authorize changes.

(p) In the event that Respondent leaves Utah for a period longer than 60 days, Respondent shall notify the Division and the Board in writing of the dates of departure and return. The licensing authorities of the jurisdiction to which Respondent moves must be promptly notified of the provisions of this Stipulation and Order. Periods of residency or practice outside Utah

may apply to the reduction of the probation period if the new state of residency places Respondent' license on probation with equal or greater terms and conditions.

(q) Periods of unemployment or employment in other fields of practice shall be reported by Respondent to the Division and shall not count toward completion of probation. Should Respondent not be employed in Respondent's licensed occupation during Respondent's probationary period for a consecutive period of more than sixty (60) days, that period shall not apply to the reduction of probation, though the terms of probation shall remain applicable. If the Respondent works less than full-time in Respondent's licensed occupation, the reduction of any remaining probationary time shall occur on a pro-rata basis, in relation to a full-time position of 40 hours worked per week.

(r) Should other acts of unprofessional conduct come to the attention of the Division or Board which have occurred prior to the entry of the Order in this case or should Respondent violate probation in any respect, the Division may, in addition to taking action as provided for herein, after giving Respondent notice and the opportunity to be heard, revoke probation or impose sanctions in accordance with applicable law.

(s) Respondent shall immediately notify the Division, in writing, of any changes in private or professional address and agrees that written communication by the Division and/or the Board shall be mailed to Respondent at the last address provided to the Division via first class U.S. Mail, and shall constitute notice to Respondent.

(t) Failure to pay for any of the costs associated with this probation shall be considered a violation of this Order. Respondent further agrees to complete all conditions of probation in a timely manner. Where a specific time for completion is not stated in this Order, it shall be within the Division and Board's discretion to set a time for completion.

(u) Respondent agrees to keep Respondent's Utah license active during the period of probation.

(v) Respondent shall notify the Division immediately if Respondent is charged or arrested with any criminal conduct and understands that a conviction is a violation of this agreement.

(w) Respondent shall submit reports on the date they are due and shall appear at scheduled meetings with the Division and Board promptly. Failure to

do so shall be considered a violation of this Stipulation and Order.

9. This Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this non-criminal administrative matter. Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and Respondent waive any claim of bias or prejudgment they might otherwise have with regard to the Director by virtue of the Director having reviewed this Stipulation, and this waiver shall survive such nullification.

10. Respondent agrees to abide by and comply with all applicable federal and state laws, regulations, rules and orders related to the Respondent's licensed practice.

11. This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation. Respondent agrees not to take any action or make any public statement, that creates, or tends to create, the impression that any of the matters set forth in this Stipulation and Order are without factual basis. A public statement includes statements to one or more Board members during a meeting of the Board. Any such action or statement shall be considered a violation of this Stipulation and Order.

12. The accompanying Order becomes effective immediately upon the approval of this Stipulation and signing of the Order by the Division Director. Respondent shall comply with all the terms and conditions of this Stipulation immediately following the Division Director's signing of the Order page of this Stipulation and Order. Respondent shall complete all the terms

and conditions contained in the Stipulation and Order in a timely manner. If a time period for completion of a term or condition is not specifically set forth in the Stipulation and Order, Respondent agrees that the time period for completion of that term or condition shall be set by the Board. Failure to complete a term or condition in a timely manner shall constitute a violation of the Stipulation and Order and may subject Respondent to revocation or other sanctions.

13. If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law. Such sanction may include revocation or suspension of Respondent's license, or other appropriate sanction. If the Division files a Petition alleging that Respondent has engaged in new misconduct or files an Order to Show Cause Petition alleging that Respondent has violated any of the terms and conditions contained in this Stipulation and Order, the period of Respondent's probation shall be tolled during the period that the Petition or Order to Show Cause Petition has been filed and is unresolved.

14. Respondent shall practice only under Respondent's name as set forth in the caption of this Stipulation and Order. If Respondent intends to practice under any other name, then, prior to practicing under any other name, Respondent shall inform the Division in writing, and Respondent and the Division shall enter into an Amended Stipulation and Order, which consists of the new name Respondent intends to practice under, along with all the same terms and conditions in the original Stipulation and Order.

15. Respondent has read each and every paragraph contained in this Stipulation and Order. Respondent understands each and every paragraph contained in this Stipulation and Order. Respondent has no questions about any paragraph or provision contained in this

Stipulation and Order.

DIVISION OF OCCUPATIONAL &
PROFESSIONAL LICENSING

BY: _____
RICHARD J. OBORN
Bureau Manager

DATE: 9/3/13

RESPONDENT

BY: _____
RONALD DALE DAY

DATE: 08/29/2013

JOHN E. SWALLOW
ATTORNEY GENERAL

BY: _____
L. MITCHELL JONES
Counsel for the Division

DATE: 3 Sep 2013

ORDER

THE ABOVE STIPULATION, in the matter of **RONALD DALE DAY,** is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann. § 58-1-401(2). The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 4th day of September, 2013.

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING

MARK B. STEINAGEL
Director

Investigator: Vince Garcia

CERTIFICATE OF SERVICE

I hereby certify that on the 4 day of Sept, 2013, a true and correct copy of the foregoing STIPULATION AND ORDER has been served on the parties of record in this proceeding by mailing a copy thereof, properly addressed by first class mail with postage prepaid, to the following:

Ronald Dale Day
1140 South Hoytsville Road
Coalville UT 84017

Hand delivered copy to:

L. Mitchell Jones, Assistant Attorney General

Carol Inglesby
Admin. Assistant
Division of Occupational
and Professional
Licensing

Letter from Mr. Day to DOPL Division Director dated October 16, 2013

Ron Day LCSW
1140 So. Hoytsville Road
Coalville, Utah 84017
435-210-1060
rday47@gmail.com

October 16, 2013

Mr. Mark Steinagel, Director
160 East 300 South 4th Floor
PO Box 146741
Salt Lake City Utah 84114-6741

RE: Case No. DOPL 2013-367

Dear Mr. Steinagel,

I am writing to request an Agency Review of the DOPL Case listed above. I would like to exercise my rights to a hearing before the Board or other representative as directed by you.

The enclosed material will present a complicated request but it is based upon my initial understanding of my rights. I am now less stunned than when the initial DOPL papers were presented to me at my place of employment. I was surprised when an investigator called and said he had some papers for me to read and sign regarding allegations which had been made against me. I thought I knew what the allegations were and when he presented them I was unprepared and shocked. In my conversation with the "investigator " it was suggested that if I did not sign I should get an attorney and my license would be revoked. I asked, If I sign will I be able to work with the Board? My understanding was ,"Yes". However, when I met with Susan Higgs she informed me that I was not able to address the Board since I signed a paper stating I was guilty of "Unprofessional Conduct" as stated.

At that point I felt lost knowing that working with the Board then was not my option for a hearing but an acquiescence to the a clients allegations. I felt I would rather surrender my License than have anyone believe I would do what I have been accused of. It goes against my total belief system and a 38 year career, on the front line with 7-8 clients a day without any similar complaints. Then, Mr. Oborn stated that surrendering my license still meant I was guilty as charged. I will not accept that charge and allow that to be promulgated as to whom I am as a person or a therapist.

Yes, I made an error in signing the original papers presented to me on my break at work. However, to acquiesce seems a much greater lie to me. I am enclosing copies of the latest correspondence with Mr. Oborn. Copies of the original charges are now displayed on your Web site. I am asking for an agency review and or hearing with whomever you may suggest. Thank you for your evaluation of my request.

Sincerely,

Ron Day LCSW

RECEIVED
OCT 21 2013
DIVISION OF OCCUPATIONAL
& PROFESSIONAL LICENSING

Letter from Mr. Day to Bureau Manager dated October 16, 2013

Ron Day LCSW
1140 So. Hoytsville Rd.
Coalville, Utah 84017
435-210-1060
rday47@gmail.com

Oct. 16, 2013

Mr. Richard Oborn, DOPL
PO Box 146741
Salt Lake City, Utah 84114

RE: Case No. DOPL 2013-367

Dear Mr. Oborn,

Thank you for the guidance and personal communication given to me by yourself and Susan Higgs. I have followed the guidance given and have read the Proposed Surrender Stipulation and Order. Having read the Purposed Surrender Stipulation and Order I have chosen to not sign.

There are accusations presented in the order which are NOT true and therefore I will not sign this Stipulation and Order. Secondly, I am requesting my rights to a hearing before the Board or other Division presiding officer as stated in the Stipulation and Order.

I have mailed a copy of this letter to Mr. Mark Steinagel, Director and I am asking for an agency review. I am angry that even without an agency review or investigation and with my consistent denial of the accusations I find a public record already displayed in DOPL's "New" License Information Web Site accusing me of unfounded allegations. This seems more than unprofessional on DOPL's part if not just punitive without merit.

If I have committed an unprofessional act please offer me a hearing to determine those facts and not just from one person's accusation.

Thank you and I await your response as to what I must do next.

Sincerely,

Ron Day LCSW

Letter from Mr. Day to Board dated December 3, 2013

Ron Day LCSW
1140 S. Hoytsville Rd.
Coalville, Utah 84017
435-210-1060
rday47@gmail.com

December 3, 2013

Dear Board Members,

I do not see a reason to appear before you to address how closely I am following the stipulations of my probation. I am not able to obtain a position as a Clinical Social Worker. Valley Mental Health Director summarizes my situation, "We don't have the resources to supervise someone we would have hired to be a supervisor." So, I am employed in home care and maintenance which is how I paid my way through college. At this time not having my own business I am paid $10/hour. Currently, I have had to use my credit card for the past six months to cover basic living expenses above my income.

I am not seeking pity but stating this for your awareness. I cannot pay for ethic's classes and so I have not even looked at them. Since I could not afford an attorney initially, I cannot pay for someone to supervise me, or pay for a psychological or weekly therapy. It would be unwise for me to add financial burdens to my family for three years when at the conclusion of this probation I will be 70.

My only desire in meeting with you was to be heard. Being judged without the Department of Commerce honoring my rights to defend myself I have come to terms this letter is all I have left. I know I will be out of compliance with my probation due to the tone of this letter but actually no matter what I do I it seems I will out of compliance due to my financial position.

I accept that I have violated a code of conduct when I asked my client to have a mutual acquaintance contact me, and yes in 2011 I did again violate the code when paying my bosses spouse to paint a shed for me. I admit to these errors. However, the way my code violation is written and printed is not at all honest and closer to tabloid material. This is my objection beyond the excessive punishments established by your legal counsel. There are other things I do not feel are fair but the way I am described on your Web is twisted and hurtful especially because what is described is something I would not do and did not do. What your legal counsel did is far more egregious and unethical than anything I have been accused of and it seems done with intention to harm rather than correct or educate.

I will not bore you with my justification or tell you I did not make a mistake. I have made lots of mistakes in my 38 years as a therapist but they have all been learning experiences. I am not going to renew my license. I have come to know that I am in this position and there must be something I need to learn and so I hope to learn from my legal task masters and my own experiences, again. As I mentioned to the Board member who talked with me in 2011, "I will not do that again". I have also learned not to

ask a client to talk with her partner when I could have made the effort to call her. Not again and thank you for this humbling experience.

Thank you for reading this letter.

Ron Day LCSW

Proposed Stipulation to Surrender License Reflecting Amendments Requested by Mr. Day

L. MITCHELL JONES (U.S.B. 5979)
Assistant Attorney General
BRIAN L. TARBET (U.S.B. 3191)
Attorney General
Commercial Enforcement Division
Heber M. Wells Building
Box 146741
Salt Lake City, UT 84114-6741
Telephone: (801) 366-0310

BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING

OF THE DEPARTMENT OF COMMERCE

OF THE STATE OF UTAH

IN THE MATTER OF THE LICENSE OF	)	**SURRENDER**
RONALD DALE DAY	)	**STIPULATION AND ORDER**
TO PRACTICE AS A	)	
LICENSED CLINICAL	)	CASE NO. DOPL 2013-
SOCIAL WORKER	)	
IN THE STATE OF UTAH	)	

RONALD DALE DAY ("Respondent") and the Division of Occupational and Professional Licensing of the Department of Commerce of the State of Utah ("Division") stipulate and agree as follows:

RD 1. Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action.

RD 2. Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily. — as corrected

RD 3. Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter.

4. Respondent understands that Respondent is entitled to a hearing before the State of Utah's Social Worker Licensing Board ("Board"), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses. Respondent understands that by signing this document Respondent hereby knowingly and intelligently waives the right to a hearing, the right to call witnesses on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing. Respondent understands that by signing this document Respondent hereby knowingly and intelligently waives the right to all administrative and judicial review as set forth in Utah Code Ann. §§ 63G-4-301 through 63G-4-405, and Utah Administrative Code R151-46b-12 through R151-46b-15. Respondent and the Division hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann. § 63G-4-102(4).

Requested three times. Denied 3 times - I was not informed I had 2 weeks to review I was told by Vince "it would only take a few minutes to read & sign if I choose to." "The Board will work with you if you sign." I have now had the time to read this.

RD 5. Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter.

RD 6. Respondent understands that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document. The Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent's license, to other persons and entities.

You already published the last deception -

7. Respondent admits the following facts are true:

a. On or about September 5, 1991 Respondent was first licensed as a licensed clinical social worker in the State of Utah.

b. On or about August 29, 2013 Respondent voluntarily signed a Stipulation and Order in DOPL Case No. 2013-367, wherein Respondent admitted to unprofessional conduct, and Respondent's license revoked, the revocation stayed, and the license was placed on probationary terms and conditions for a period of three years. Was not informed of this

No I did NOT.

c. In October 2013 Respondent informed the Division that he no longer wants to practice as an LCSW and no longer intends to comply with the terms and conditions of the Stipulation and Order in DOPL Case No. 2013-367.

d. Respondent desires to surrender Respondent's license to practice as a licensed clinical social worker in the State of Utah along with all residual rights pertaining to said license.

8. Respondent admits that Respondent's conduct described above is unprofessional conduct as defined in Utah Code Ann. § 58-1-501(2)(a); that said conduct justifies disciplinary action against Respondent's license pursuant to Utah Code Ann. § 58-1-401(2)(a). Respondent hereby surrenders Respondent's license to practice as a licensed clinical social worker in the State of Utah along with all residual rights pertaining to said license. Respondent agrees that the issuance of the Order in this matter constitutes disciplinary action by the Division pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann. § 58-1-401(2)(a). Respondent agrees not to reapply for licensure as any type of mental health worker in the State of Utah until five years has elapsed from the effective date of this Stipulation and Order. The Division does not guarantee that any future application by Respondent for licensure will be granted. If the Division Director accepts the terms of this Stipulation and Order, Respondent forfeits all rights to

practice as a licensed clinical social worker in the State of Utah. Respondent understands that Respondent will not receive any refund of license or renewal fees previously paid to the Division.

RD 9. This Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this non-criminal administrative matter. Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and Respondent waive any claim of bias or prejudgment they might otherwise have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification.

RD 10. This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation.

RD 11. If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law.

RD 12. Respondent understands that the disciplinary action taken by the Division in this Stipulation and Order may adversely affect any license that Respondent may possess in another state or any application for licensure Respondent may submit in another state.

RD 13. Respondent understands and agrees that if Respondent has been issued an Order by the Division to pay an administrative penalty or a fine, and Respondent has not paid the administrative penalty or fine in full at the time this Stipulation and Order becomes effective,

then Respondent may not reapply for licensure in the State of Utah, in any profession or occupation, until Respondent has paid the administrative penalty or fine in full. Respondent understands and agrees that any application for licensure submitted by Respondent shall be denied for the reason of failure to pay an administrative penalty or fine by the Division until Respondent has paid the administrative penalty or fine in full. The Division may also deny the license for any other lawful reason. Respondent understands and agrees that this surrender of Respondent's license(s) does not extinguish any obligation Respondent has to pay any administrative penalty or fine previously ordered by the Division.

RD 14. Respondent has read each and every paragraph contained in this Stipulation and Order. Respondent understands each and every paragraph contained in this Stipulation and Order. Respondent has no questions about any paragraph or provision contained in this Stipulation and Order.

I am signing with written comment & initialled accepted paragraphs

DIVISION OF OCCUPATIONAL &
PROFESSIONAL LICENSING

BY: _____
RICHARD J. OBORN
Bureau Manager

DATE: _____

BRIAN L. TARBET
ATTORNEY GENERAL

BY: _____
L. MITCHELL JONES
Counsel for the Division

DATE: _____

RESPONDENT

BY: Ronald Dale Day
RONALD DALE DAY

DATE: 12/20/2013

ORDER

THE ABOVE STIPULATION, in the matter of **RONALD DALE DAY**, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann. § 58-1-401(2). The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this _____ day of _____, 2013.

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING

_____
MARK B. STEINAGEL
Director

Investigator: Dee Thorell