

BEFORE THE BOARD OF SOCIAL WORK OF THE STATE OF IOWA

IN THE MATTER OF CHARLES MERCER 3138 SW Woodfield Lane Ankeny, Iowa 50023 RESPONDENT	CASE NO.: 22-0184 COMBINED STATEMENT OF CHARGES, SETTLEMENT AGREEMENT, AND FINAL ORDER
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COME NOW the Iowa Board of Social Work (“Board”) and Charles Mercer (“Respondent”), and enter into this combined Statement of Charges and Settlement Agreement and Final Order (“Order”) pursuant to Iowa Code sections 17A.10(2), 272C.3(4), and 272C.10 and 645 Iowa Administrative Code (IAC) 12.1.

A. BACKGROUND

1. **Iowa License.** Respondent was issued Iowa social work license number 101859 on September 30, 2020. Respondent’s Iowa social work license is currently active.
2. **Practice Setting.** Respondent is an Iowa licensed independent social worker who practiced social work in Ankeny, Iowa, during the period relevant to these allegations. Respondent currently lives in the state of Iowa.
3. **Jurisdiction.** The Board has jurisdiction in this matter pursuant to Iowa Code § 154C.
4. **Allegations.** On or about the date of February 15, 2023, the Respondent submitted an application for the reactivation of his social work license. Subsequent investigation revealed the Respondent had failed to report his criminal conviction for Operating While Intoxicated to the Board.

B. STATEMENT OF CHARGES

COUNT I

5. Respondent is charged under 645 IAC 283.2(15) with failing to report criminal convictions to the Board within thirty (30) days.

COUNT II

6. Respondent is charged under 645 IAC 283.2(1) "b" with fraud in procuring a license by concealing his criminal conviction on his reinstatement application.

C. SETTLEMENT AGREEMENT

7. Respondent acknowledges that the allegations in the Statement of Charges, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Order.

8. In order to resolve this matter without proceeding to hearing, Respondent agrees to the following conditions:

A. Respondent shall be placed on PROBATION for a period of one year;

B. Respondent shall complete twenty (20) hours board-approved continuing education in the following areas:

i. Fifteen hours of ethics; and

ii. Five hours of mental wellness and substance abuse education for social workers.

C. Respondent shall pay a CIVIL PENALTY in the amount of \$350.00.

D. Respondent shall appear before the Board upon request.

9. In accepting this Settlement Agreement, Respondent acknowledges the following:

a. This Settlement Agreement and Final Order is subject to the approval of the Board and will have no force or effect if it is not accepted by the Board.

b. Counsel for the State will present this Settlement Agreement and Final Order to the Board *ex parte*.

c. I have the right to be represented by counsel in this matter.

d. I understand I have an opportunity to be heard and to contest the allegations against me in a formal hearing before the Board and that by waiving the formal hearing, I waive my right to challenge the allegations against me and all attendant rights, including the right to seek judicial review of the Board's actions.

e. I waive my ability to review the investigative file in this case.

f. I understand this Combined Statement of Charges, Settlement Agreement, and Final Order will be part of my permanent licensure file and may be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

g. I am voluntarily entering into this Combined, Statement of Charges, Settlement Agreement, and Final Order.

h. Failure to comply with the provisions of this combined Statement of Charges, Settlement Agreement, and Final Order shall be grounds for further disciplinary action pursuant to Iowa Code § 272C.3(2)(a).

i. Respondent understands that the Board will report this Order to the National Practitioner Databank.

12. This combined Statement of Charges, Settlement Agreement, and Final Order constitutes discipline against Respondent and is the final agency action in a contested case pursuant to Iowa Code section 17A.10.

13. This combined Statement of Charges, Settlement Agreement, and Final Order shall not preclude the Board from taking additional action against Respondent should Respondent violate laws, rules, or standards of practice administered by the Board in the future.

14. This Statement of Charges, Settlement Agreement and Final Order becomes a public record available for inspection and copying upon execution in accordance with the requirements of Iowa Code Chapters 17A, 22, and 272C.

15. The Board's approval of this Order shall constitute a **Final Order** of the Board.

D. FINAL ORDER

IT IS THEREFORE ORDERED:

E. Respondent is placed on **PROBATION** for a period of one year;

F. Respondent shall complete twenty (20) hours board-approved continuing education in the following areas:

i. Fifteen hours of ethics; and

ii. Five hours of mental wellness and substance abuse education for social workers.

G. Respondent shall pay a **CIVIL PENALTY** in the amount of \$350.00.

H. Respondent shall appear before the Board upon request.

FOR THE RESPONDENT:

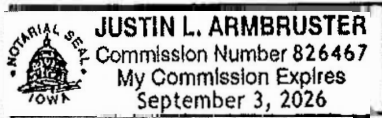
Voluntarily agreed to and accepted by Charles R. Mercer on this 31st day of May, 2024.

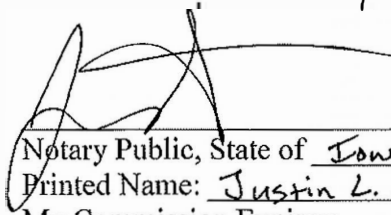

By: Charles R. Mercer, Respondent

State of Iowa)

County of Polk)

Signed and sworn to before me on this 31st day of May, 2024, by:




Notary Public, State of Iowa
Printed Name: Justin L. Armbruster
My Commission Expires: 09/03/2026

FOR THE IOWA BOARD OF SOCIAL WORK:

Voluntarily agreed to and accepted by the **IOWA BOARD OF BEHAVIORAL HEALTH PROFESSIONALS** on this 30th day of July, 2024.

/s/ Aaron Culley

Chair

Iowa Board of Behavioral Health Professionals