

BEFORE THE  
BOARD OF BEHAVIORAL SCIENCES  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

SUSAN CATHERINE HOLDEN  
1464 La Plaza Dr.  
San Marcos, CA 92078  
Licensed Clinical Social Worker License No.  
LCSW 25830

Respondent.

Case No. LC-2013-1726

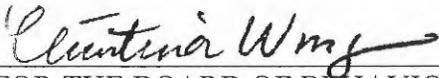
OAH No. 2015030762

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Behavioral Sciences, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on August 27, 2015.

It is so ORDERED July 28, 2015.

  
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FOR THE BOARD OF BEHAVIORAL SCIENCES  
DEPARTMENT OF CONSUMER AFFAIRS

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9 **BEFORE THE**  
10 **BOARD OF BEHAVIORAL SCIENCES**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:  
13 **SUSAN CATHERINE HOLDEN**  
14 **1464 La Plaza Dr.**  
**San Marcos, CA 92078**  
15 **Licensed Clinical Social Worker License No.**  
**LCSW 25830**  
16 Respondent.

Case No. LC-2013-1726  
OAH No. 2015030762  
**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

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19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
20 entitled proceedings that the following matters are true:

21 PARTIES

22 1. Kim Madsen (Complainant) is the Executive Officer of the Board of Behavioral  
23 Sciences. She brought this action solely in her official capacity and is represented in this matter  
24 by Kamala D. Harris, Attorney General of the State of California, by Manuel Arambula, Deputy  
25 Attorney General.

26 2. On or about August 11, 2009, the Board of Behavioral Sciences issued Licensed  
27 Clinical Social Worker License No. LCSW 25830 to Susan Catherine Holden (Respondent). The  
28 Licensed Clinical Social Worker License expired on October 31, 2014, and has not been renewed.

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JURISDICTION

3. Accusation No. LC-2013-1726 was filed before the Board of Behavioral Sciences (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on December 18, 2014. Respondent timely filed her Notice of Defense contesting the Accusation.

4. A copy of Accusation No. LC-2013-1726 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

6. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

7. Respondent admits the truth of each and every charge and allegation in Accusation No. LC-2013-1726.

8. Respondent agrees that her Licensed Clinical Social Worker License is subject to discipline and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CIRCUMSTANCES IN MITIGATION

9. Respondent Susan Catherine Holden has never been the subject of any disciplinary action. She is admitting responsibility at an early stage in the proceedings.

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CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Behavioral Sciences. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Behavioral Sciences may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures, shall have the same force and effect as the originals.

12. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Licensed Clinical Social Worker License No. LCSW 25830 issued to Respondent Susan Catherine Holden is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

1           1.     **Psychotherapy**

2           Respondent shall participate in ongoing psychotherapy with a California licensed mental  
3 health professional who has been approved by the Board. Within 15 days of the effective date of  
4 this decision, Respondent shall submit to the Board or its designee for its prior approval the name  
5 and qualifications of one or more therapists of Respondent's choice. Such therapist shall possess  
6 a valid California license to practice and shall have had no prior business, professional, or  
7 personal relationship with Respondent, and shall not be the respondent's supervisor. Counseling  
8 shall be at least once a week unless otherwise determined by the Board. Respondent shall  
9 continue in such therapy at the Board's discretion. Cost of such therapy is to be borne by  
10 Respondent.

11           Respondent may, after receiving the Board's written permission, receive therapy via  
12 videoconferencing if Respondent's good faith attempts to secure face-to-face counseling are  
13 unsuccessful due to the unavailability of qualified mental health care professionals in the area.  
14 The Board may require that Respondent provide written documentation of her good faith attempts  
15 to secure counseling via videoconferencing.

16           Respondent shall provide the therapist with a copy of the Board's decision no later than the  
17 first counseling session. Upon approval by the Board, respondent shall undergo and continue  
18 treatment until the Board or its designee determines that no further psychotherapy is necessary.

19           Respondent shall take all necessary steps to ensure that the treating psychotherapist submits  
20 quarterly written reports to the Board concerning Respondent's fitness to practice, progress in  
21 treatment, and to provide such other information as may be required by the Board. Respondent  
22 shall execute a Release of Information authorizing the therapist to divulge information to the  
23 Board.

24           If the treating psychotherapist finds that Respondent cannot practice safely or  
25 independently, the psychotherapist shall notify the Board within three (3) working days. Upon  
26 notification by the Board, Respondent shall immediately cease practice and shall not resume  
27 practice until notified by the Board or its designee that Respondent may do so. Respondent shall  
28 not thereafter engage in any practice for which a license issued by the Board is required until the

1 Board or its designee has notified respondent that she may resume practice. Respondent shall  
2 document compliance with this condition in the manner required by the Board.

3 **2. Education**

4 Respondent shall take and successfully complete the equivalency of two semester units in  
5 the area of alcohol use/abuse. All course work shall be taken at the graduate level at an  
6 accredited or approved educational institution that offers a qualifying degree for licensure as a  
7 marriage and family therapist, clinical social worker, educational psychologist, or professional  
8 clinical counselor or through a course approved by the Board. Classroom attendance must be  
9 specifically required. Course content shall be pertinent to the violation and all course work must  
10 be completed within one year from the effective date of this Decision.

11 Within 90 days of the effective date of the decision Respondent shall submit a plan for prior  
12 Board approval for meeting these educational requirements. All costs of the course work shall be  
13 paid by the Respondent. Units obtained for an approved course shall not be used for continuing  
14 education units required for renewal of licensure.

15 **3. Abstain from Controlled Substances / Submit to Biological Fluid Testing and**  
16 **Samples**

17 Respondent shall completely abstain from the use or possession of controlled or illegal  
18 substances unless lawfully prescribed by a medical practitioner for a bona fide illness.

19 Respondent shall immediately submit to biological fluid testing, at Respondent's cost, upon  
20 request by the Board or its designee. The length of time and frequency will be determined by the  
21 Board. There will be no confidentiality in test results. Any confirmed positive finding will be  
22 immediately reported to Respondent's current employer and shall be a violation of probation.

23 **4. Abstain from Use of Alcohol / Submit to Biological Fluid Testing and Samples**

24 Respondent shall completely abstain from the use of alcoholic beverages during the period  
25 of probation.

26 Respondent shall immediately submit to biological fluid testing, at Respondent's cost, upon  
27 request by the Board or its designee. The length of time and frequency will be determined by the  
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1 Board. There will be no confidentiality in test results. Any confirmed positive finding will be  
2 immediately reported to the Respondent's current employer and shall be a violation of probation.

3 **5. Attend Dependency Support Program.**

4 Respondent shall attend a dependency support program approved by the Board no less  
5 than 2 times per week. Respondent shall provide proof of attendance at said program with each  
6 quarterly report that Respondent submits with each period of probation. Failure to attend, or to  
7 show such proof of attendance, shall constitute a violation of probation.

8 **6. Obey All Laws**

9 Respondent shall obey all federal, state, and local laws, all statutes and regulations  
10 governing the licensee, and remain in full compliance with any court ordered criminal probation,  
11 payments and other orders. A full and detailed account of any and all violations of law shall be  
12 reported by the Respondent to the Board or its designee in writing within seventy-two (72) hours  
13 of occurrence. To permit monitoring of compliance with this term, Respondent shall submit  
14 fingerprints through the Department of Justice and Federal Bureau of Investigation within 30 days  
15 of the effective date of the decision, unless previously submitted as part of the licensure  
16 application process. Respondent shall pay the cost associated with the fingerprint process.

17 **7. File Quarterly Reports**

18 Respondent shall submit quarterly reports, to the Board or its designee, as scheduled on the  
19 "Quarterly Report Form" (rev. 01/12/01). Respondent shall state under penalty of perjury whether  
20 she has been in compliance with all the conditions of probation. Notwithstanding any provision  
21 for tolling of requirements of probation, during the cessation of practice Respondent shall  
22 continue to submit quarterly reports under penalty of perjury.

23 **8. Comply with Probation Program**

24 Respondent shall comply with the probation program established by the Board and  
25 cooperate with representatives of the Board in its monitoring and investigation of the  
26 Respondent's compliance with the program.

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1           **9. Interviews with the Board**

2           Respondent shall appear in person for interviews with the Board or its designee upon  
3 request at various intervals and with reasonable notice.

4           **10. Failure to Practice**

5           In the event respondent stops practicing in California, respondent shall notify the Board or  
6 its designee in writing within 30 calendar days prior to the dates of non-practice and return to  
7 practice. Non-practice is defined as any period of time exceeding thirty calendar days in which  
8 Respondent is not engaging in any activities defined in Sections 4980.02, 4989.14, 4996.9, or  
9 4999.20 of the Business and Professions Code. Any period of non-practice, as defined in this  
10 condition, will not apply to the reduction of the probationary term and will relieve Respondent of  
11 the responsibility to comply with the probationary terms and conditions with the exception of this  
12 condition and the following terms and conditions of probation: Obey All Laws; File Quarterly  
13 Reports; Comply With Probation Program; Maintain Valid License/Registration; and Cost  
14 Recovery. Respondent's license/registration shall be automatically cancelled if Respondent's  
15 period of non-practice total two years.

16           **11. Change of Place of Employment or Place of Residence**

17           Respondent shall notify the Board or its designee in writing within 30 days of any change  
18 of place of employment or place of residence. The written notice shall include the address, the  
19 telephone number and the date of the change.

20           **12. Supervision of Unlicensed Persons**

21           While on probation, Respondent shall not act as a supervisor for any hours of supervised  
22 practice required for any license issued by the Board. Respondent shall terminate any such  
23 supervisory relationship in existence on the effective date of this Decision.

24           **13. Notification to Clients**

25           Respondent shall notify all clients when any term or condition of probation will affect their  
26 therapy or the confidentiality of their records, including but not limited to supervised practice,  
27 suspension, or client population restriction. Such notification shall be signed by each client prior  
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1 to continuing or commencing treatment. Respondent shall submit, upon request by the Board or  
2 its designee, satisfactory evidence of compliance with this term of probation.

3 **14. Notification to Employer**

4 Respondent shall provide each of her current or future employers, when performing  
5 services that fall within the scope of practice of her license, a copy of this Decision and the  
6 Accusation before commencing employment. Notification to the Respondent's current employer  
7 shall occur no later than the effective date of the Decision or immediately upon commencing  
8 employment. Respondent shall submit, upon request by the Board or its designee, satisfactory  
9 evidence of compliance with this term of probation.

10 **15. Violation of Probation**

11 If Respondent violates the conditions of her probation, the Board, after giving Respondent  
12 notice and the opportunity to be heard, may set aside the stay order and impose the discipline of  
13 Respondent's license provided in the decision.

14 If during the period of probation, an accusation, petition to revoke probation, or statement  
15 of issues has been filed against Respondent's license or application for licensure, or the Attorney  
16 General's office has been requested to prepare such an accusation, petition to revoke probation, or  
17 statement of issues, the probation period set forth in this decision shall be automatically extended  
18 and shall not expire until the accusation, petition to revoke probation, or statement of issues has  
19 been acted upon by the board. Upon successful completion of probation, respondent's license  
20 shall be fully restored.

21 **16. Maintain Valid License**

22 Respondent shall, at all times while on probation, maintain a current and active license with  
23 the Board, including any period during which suspension or probation is tolled. Should  
24 Respondent's license, by operation of law or otherwise, expire, upon renewal Respondent's  
25 license shall be subject to any and all terms of this probation not previously satisfied.

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1           **17. License Surrender**

2           Following the effective date of this decision, if Respondent ceases practicing due to  
3 retirement or health reasons, or is otherwise unable to satisfy the terms and conditions of  
4 probation, Respondent may voluntarily request the surrender of her license to the Board. The  
5 Board reserves the right to evaluate the Respondent’s request and to exercise its discretion  
6 whether to grant the request or to take any other action deemed appropriate and reasonable under  
7 the circumstances. Upon formal acceptance of the surrender, Respondent shall within 30 calendar  
8 days deliver Respondent’s license and certificate and, if applicable, wall certificate to the Board  
9 or its designee and Respondent shall no longer engage in any practice for which a license is  
10 required. Upon formal acceptance of the tendered license, respondent will no longer be subject to  
11 the terms and conditions of probation.

12           Voluntary surrender of Respondent’s license shall be considered to be a disciplinary action  
13 and shall become a part of Respondent’s license history with the Board. Respondent may not  
14 petition the Board for reinstatement of the surrendered license. Should Respondent at any time  
15 after voluntary surrender ever reapply to the Board for licensure respondent must meet all current  
16 requirements for licensure including, but not limited to, filing a current application, meeting all  
17 current educational and experience requirements, and taking and passing any and all examinations  
18 required of new applicants.

19           **18. Instruction of Coursework Qualifying for Continuing Education**

20           Respondent shall not be an instructor of any coursework for continuing education credit  
21 required by any license issued by the Board.

22           **19. Notification to Referral Services**

23           Respondent shall immediately send a copy of this decision to all referral services registered  
24 with the Board in which Respondent is a participant. While on probation, Respondent shall send a  
25 copy of this decision to all referral services registered with the Board that respondent seeks to  
26 join.

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20. Reimbursement of Probation Program

Respondent shall reimburse the Board for the costs it incurs in monitoring the probation to ensure compliance for the duration of the probation period. Reimbursement costs shall be \$1,200 per year.

21. Cost Recovery

Respondent shall pay the Board \$1,555 for the reasonable costs of the investigation and prosecution of Case No. LC-2013-1726. Respondent shall make such payments pursuant to a payment plan outlined by the Board. Respondent shall make the check or money order payable to the Board of Behavioral Sciences and shall indicate on the check or money order that it is the cost recovery payment for Case No. LC-2013-1726. Any order for payment of cost recovery shall remain in effect whether or not probation is tolled. Probation shall not terminate until full payment has been made. Should any part of cost recovery not be paid in accordance with the outlined payment schedule, Respondent shall be considered to be in violation of probation. A period of non-practice by Respondent shall not relieve respondent of her obligation to reimburse the Board for its costs.

Cost recovery must be completed six months prior to the termination of probation. A payment plan authorized by the Board may be extended at the discretion of the Enforcement Manager based on good cause shown by the probationer.

ACCEPTANCE

I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Behavioral Sciences.

DATED: 6/5/2015 Susan Catherine Holden  
SUSAN CATHERINE HOLDEN  
Respondent

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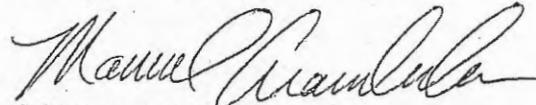
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Behavioral Sciences.

Dated: 6/11/15

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
GREGORY J. SALUTE  
Supervising Deputy Attorney General



MANUEL ARAMBULA  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. LC-2013-1726**

1 KAMALA D. HARRIS  
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2 GREGORY J. SALUTE  
Supervising Deputy Attorney General  
3 State Bar No. 164015  
AMANDA DODDS  
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*Attorneys for Complainant*

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9 **BEFORE THE**  
**BOARD OF BEHAVIORAL SCIENCES**  
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14 **1464 La Plaza Drive**  
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15 **Licensed Clinical Social Worker License**  
16 **No. LCSW 25830**  
17 Respondent.

Case No. LC-2013-1726

**A C C U S A T I O N**

18 Complainant alleges:

19 **PARTIES**

- 20 1. Kim Madsen (Complainant) brings this Accusation solely in her official capacity as  
21 the Executive Officer of the Board of Behavioral Sciences, Department of Consumer Affairs.  
22 2. On or about August 11, 2009, the Board of Behavioral Sciences issued Licensed  
23 Clinical Social Worker License Number LCSW 25830 to Susan Catherine Holden (Respondent).  
24 The Licensed Clinical Social Worker License was in full force and effect at all times relevant to  
25 the charges brought herein. The Licensed Clinical Social Worker License expired on October 31,  
26 2014, and was not renewed.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Board of Behavioral Sciences (Board),  
3 Department of Consumer Affairs, under the authority of the following laws. All section  
4 references are to the Business and Professions Code (Code) unless otherwise indicated.

5 4. Section 118(b) of the Code provides that the suspension, expiration, surrender, or  
6 cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary  
7 action during the period within which the license may be renewed, restored, reissued or  
8 reinstated. Section 4996.6 of the Code provides, in pertinent part, that a license may be renewed,  
9 restored, reinstated or reissued within three years of its expiration date.

10 5. Section 4996.11 of the Code states, in pertinent part, that the board may suspend or  
11 revoke the license of any person who is guilty on the grounds set forth in Section 4992.3.

12 **STATUTORY PROVISIONS**

13 6. Section 482 of the Code states:

14 Each board under the provisions of this code shall develop criteria to evaluate  
15 the rehabilitation of a person when:

16 (a) Considering the denial of a license by the board under Section 480; or

17 (b) Considering suspension or revocation of a license under Section 490.

18 Each board shall take into account all competent evidence of rehabilitation  
19 furnished by the applicant or licensee.

20 7. Section 490 of the Code provides, in pertinent part, that a board may suspend or  
21 revoke a license on the ground that the licensee has been convicted of a crime substantially  
22 related to the qualifications, functions, or duties of the business or profession for which the  
23 license was issued.

24 8. Section 493 of the Code states:

25 Notwithstanding any other provision of law, in a proceeding conducted by a  
26 board within the department pursuant to law to deny an application for a license or to  
27 suspend or revoke a license or otherwise take disciplinary action against a person who  
28 holds a license, upon the ground that the applicant or the licensee has been convicted  
of a crime substantially related to the qualifications, functions, and duties of the  
licensee in question, the record of conviction of the crime shall be conclusive  
evidence of the fact that the conviction occurred, but only of that fact, and the board  
may inquire into the circumstances surrounding the commission of the crime in order

1 to fix the degree of discipline or to determine if the conviction is substantially related  
2 to the qualifications, functions, and duties of the licensee in question.

3 As used in this section, "license" includes "certificate," "permit," "authority,"  
4 and "registration."

5 9. Section 4992.3 of the Code states:

6 The board may deny a license or a registration, or may suspend or revoke the  
7 license or registration of a licensee or registrant if he or she has been guilty of  
8 unprofessional conduct. Unprofessional conduct includes, but is not limited to, the  
9 following:

10 (a) The conviction of a crime substantially related to the qualifications,  
11 functions, or duties of a licensee or registrant under this chapter. The record of  
12 conviction shall be conclusive evidence only of the fact that the conviction occurred.  
13 The board may inquire into the circumstances surrounding the commission of the  
14 crime in order to fix the degree of discipline or to determine if the conviction is  
15 substantially related to the qualifications, functions, or duties of a licensee or  
16 registrant under this chapter. A plea or verdict of guilty or a conviction following a  
17 plea of nolo contendere made to a charge substantially related to the qualifications,  
18 functions, or duties of a licensee or registrant under this chapter is a conviction within  
19 the meaning of this section. The board may order any license or registration  
20 suspended or revoked, or may decline to issue a license or registration when the time  
21 for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or,  
22 when an order granting probation is made suspending the imposition of sentence,  
23 irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing  
24 the person to withdraw a plea of guilty and enter a plea of not guilty, or setting aside  
25 the verdict of guilty, or dismissing the accusation, information, or indictment.

26 . . . .

27 (c) Administering to himself or herself any controlled substance or using any of  
28 the dangerous drugs specified in Section 4022 or any alcoholic beverage to the extent,  
or in a manner, as to be dangerous or injurious to the person applying for a  
registration or license or holding a registration or license under this chapter, or to any  
other person, or to the public, or, to the extent that the use impairs the ability of the  
person applying for or holding a registration or license to conduct with safety to the  
public the practice authorized by the registration or license. The board shall deny an  
application for a registration or license or revoke the license or registration of any  
person who uses or offers to use drugs in the course of performing clinical social  
work. This provision does not apply to any person also licensed as a physician and  
surgeon under Chapter 5 (commencing with Section 2000) or the Osteopathic Act  
who lawfully prescribes drugs to a patient under his or her care.

... .

### REGULATORY PROVISIONS

10. California Code of Regulations, title 16, section 1812 states:

For purposes of denial, suspension, or revocation of a license or registration  
pursuant to Division 1.5 (commencing with Section 475) of the Code, a crime or act  
shall be considered to be substantially related to the qualifications, functions or duties

1 of a person holding a license under Chapter 17 of Division 3 and Chapter 4 of Part 3  
2 of Division 7 of the Code if to a substantial degree it evidences present or potential  
3 unfitness of a person holding a license to perform the functions authorized by his or  
her license in a manner consistent with the public health, safety or welfare.

4 11. California Code of Regulations, title 16, section 1814 states:

5 (a) When considering the suspension or revocation of a license, the board, in  
6 evaluating the rehabilitation of such person and his or her eligibility for a license will  
consider the following criteria:

7 (1) Nature and severity of the act(s) or crime(s) under consideration as  
8 grounds for suspension or revocation.

9 (2) Evidence of any act(s) committed subsequent to the act(s) or crime(s)  
10 under consideration as grounds for suspension or revocation under Section 490 of the  
Code.

11 (3) The time that has elapsed since commission of the act(s) or crime(s)  
giving rise to the suspension or revocation.

12 (4) Whether the licensee has complied with any terms of probation, parole,  
13 restitution or any other sanctions lawfully imposed against such person.

14 (5) If applicable, evidence of expungement proceedings pursuant to Section  
1203.4 of the Penal Code.

15 (6) Evidence, if any, concerning the degree to which a false statement  
16 relative to application for licensure may have been unintentional, inadvertent or  
immaterial.

17 (7) Efforts made by the applicant either to correct a false statement once  
18 made on an application or to conceal the truth concerning facts required to be  
disclosed.

19 (8) Evidence, if any, of rehabilitation submitted by the licensee.

20 . . . .

#### 21 COSTS

22 12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
23 administrative law judge to direct a licentiate found to have committed a violation or violations of  
24 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
25 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
26 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
27 included in a stipulated settlement.

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1 FIRST CAUSE FOR DISCIPLINE

2 (July 3, 2013 Criminal Conviction for DUI on April 28, 2013)

3 13. Respondent has subjected her license to disciplinary action under sections 490 and  
4 4992.3(a) of the Code in that she was convicted of a crime that is substantially related to the  
5 qualifications, functions, and duties of a Licensed Clinical Social Worker. The circumstances are  
6 as follows:

7 a. On July 3, 2013, in a criminal proceeding entitled *People of the State of*  
8 *California v. Susan C. Holden*, in San Diego County Superior Court, case number CN319362,  
9 Respondent was convicted on her plea of guilty of violating Vehicle Code section 23152(b),  
10 driving with a blood alcohol concentration (BAC) of .08 percent or more, a misdemeanor.  
11 Respondent admitted and the court found true the special allegation that her BAC was .15 percent  
12 or higher, pursuant to Vehicle Code section 23578.

13 b. As a result of the conviction, Respondent was granted summary probation for  
14 five years. She was ordered to complete a First Conviction Program and MADD Victim Impact  
15 Panel session, complete five days of community service, pay fees and fines, and comply with  
16 standard DUI probation conditions

17 c. The facts that led to the conviction are that shortly after midnight on April 28,  
18 2013, a patrol deputy with the San Diego County Sheriff's Department observed Respondent run  
19 a red light. As he followed Respondent in his patrol vehicle, he observed her swerving back and  
20 forth in her lane of travel. After conducting a stop and making contact with Respondent, the  
21 deputy noted that Respondent had the odor of alcohol on her breath, and she had difficulty  
22 maintaining her balance while standing. Respondent was unable to complete the field sobriety  
23 tests as explained and demonstrated by the deputy. Respondent provided two breath samples  
24 which were analyzed by the preliminary alcohol screening device with a BAC of .18 and .16  
25 percent, respectively. Respondent was arrested for driving under the influence.

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1 SECOND CAUSE FOR DISCIPLINE

2 (Dangerous Use of Alcohol)

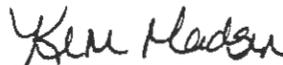
3 14. Respondent has subjected her license to disciplinary action under section 4992.3(c) of  
4 the Code for unprofessional conduct in that on April 28, 2013, as described in paragraph 13,  
5 above, she drove a motor vehicle while impaired by alcohol, conduct that was dangerous and  
6 injurious to herself, to others, and the public.

7 **PRAYER**

8 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
9 and that following the hearing, the Board of Behavioral Sciences issue a decision:

- 10 1. Revoking or suspending Licensed Clinical Social Worker License Number LCSW  
11 25830, issued to Susan Catherine Holden;
- 12 2. Ordering Susan Catherine Holden to pay the Board of Behavioral Sciences the  
13 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
14 Professions Code section 125.3;
- 15 3. Taking such other and further action as deemed necessary and proper.

16  
17 DATED: December 10, 2014



18 KIM MADSEN  
19 Executive Officer  
20 Board of Behavioral Sciences  
21 Department of Consumer Affairs  
22 State of California  
23 Complainant

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