

**BEFORE THE STATE OF NEW MEXICO
BOARD OF SOCIAL WORK EXAMINERS**

IN THE MATTER OF:

LEONARD JOHN SCEZNEY

LICENSE DENIAL

Respondent.

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CASE NO. SW-11-01-05-APP
& SW-11-01-06-APP

PROPOSED SETTLEMENT AGREEMENT

WHEREAS, the State of New Mexico Board of Social Work Examiners (hereafter the "Board") has issued a Notice of Contemplated Action (hereafter "NCA") in this matter to Respondent, Leonard Scezney; and

WHEREAS, the parties wish to resolve this matter without the time and expense of a formal hearing.

IT IS AGREED AS FOLLOWS:

1. The Respondent has submitted two applications for a license under the Social Work Practice Act, Section 61-31-1 *et seq*, NMSA 1978, and is subject to the jurisdiction of the Board.

2. In order resolve this matter the Respondent does not contest the Board's assertion of the allegations contained in the NCA.

3. Respondent acknowledges that he is subject to license denial pursuant to NMSA 1978, § 61-31-17 and does not contest that he is subject to discipline for the actions described in the NCA.

4. The Respondent enters into this Settlement Agreement voluntarily and waives his right to have this matter heard in the manner described in the New Mexico

Uniform Licensing Act, 1978 NMSA § 61-1-1 *et seq.*, including the right to a full evidentiary hearing, the right to confront and cross examine witnesses, and the right to an appellate process.

5. This Settlement Agreement is subject to Board approval, neither the Board Administrator nor the Administrative Prosecutor may bind the Board to approval of this agreement. If the Board rejects this agreement, the Board may proceed with a full evidentiary hearing on a date scheduled by the Board and the terms of this agreement or statements made by the Respondent in support of this agreement shall **not** be used against the Respondent in such hearing.

6. The Respondent has previously waived all rights to have this matter heard within the time frame set by the Uniform Licensing Act, § 61-1-1 *et seq.* NMSA 1978.

7. It is further agreed as follows:

a. Respondent hereby withdraws any and all applications pending with the New Mexico Board of Social Work Examiners as listed below:

i. Application for LISW submitted on or about August 5, 2010

ii. Application for LMSW submitted on or about December 27, 2010.

b. Respondent shall submit to the Board payment in the amount \$6,359.18 which is the remainder owed to the Board from the assessment of costs resulting from a disciplinary hearing before the Board. The amount shall be paid within 90 days of the Board's acceptance of this proposal.

c. Upon completion of the terms listed in paragraphs 7(a) and (b), the Board will take no further action and dismiss the charges which were brought or could have been brought against the Respondent for the conduct described in the NCA.

8. The NCA and this Agreement are public records within the meaning of the Inspection of Public Records Act, NMSA 1978, § 14-2-6(E). Other data, communications, and information acquired by the Board relating to this matter shall be public as provided by the Social Work Practice Act and promulgated Board regulations.

9. Respondent understands and acknowledges that any violation(s) by Respondent of this Settlement Agreement will immediately result in the filing of an Order to Show Cause as to why the Board should not find the Respondent in violation of the agreement and impose lawful sanctions including but not limited to the imposition of a civil penalty, additional fines or penalties and/or take any other disciplinary action described in the Uniform Licensing Act.

10. This Agreement is a settlement of Board case number SW-11-01-05-APP and SW-11-01-06-APP, and only the specific allegations contained therein. This Agreement in no way guarantees approval of future applications and only resolves the matters listed herein. The Board reserves the right to initiate proceedings for any other violations of the Social Work Practice Act or the Rules and Regulations of the Board adopted pursuant to that act.



Leonard John Szezney

Respondent



P. Cholla Khoury

Administrative Prosecutor

03-19-2013

Date

3/21/13

Date

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ORDER

This matter having come before the Board of Social Work Examiners on July
19th, 2013, and with a quorum being present and a majority voting for the action
designated below, this Settlement Agreement is:

☒ Accepted

☐ Rejected



_____, Chairperson
New Mexico Board of Social Work Examiners

19. July 2013
Date