LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS

IN THE MATTER OF	ADMINISTRATIVE COMPLAINT
JOE ANN DUPARD, PGSW	NUMBER: 2003-89
LICENSE NO. 7526	

CONSENT ORDER

WHEREAS, Joe Ann Dupard, (Ms. Dupard) PGSW, is a credentialed social worker subject to the jurisdiction and rules and regulations of the Louisiana State Board of Social Work Examiners (the Board); and

WHEREAS, pursuant to an administrative investigation and subsequent administrative complaint, the social worker, Joe Ann Dupard, has indicated her desire to resolve this matter through a Consent Order as provided in Rule No. 707 of the Board's *Rules, Standards and Procedures* and La. R.S. 49:955(D) of the Louisiana Administrative Procedure Act; and

WHEREAS, the social worker, Joe Ann Dupard, has admitted the following:

1. That, Joe Ann Dupard is and at all times pertinent to the facts and matters alleged herein, a provisional graduate social worker (PGSW) certified by the Board to engage in the practice of social work in the State of Louisiana pursuant to the Social Work Practice Act, La. R.S. 37:2701 et seq., as evidenced by Certificate No. 7526.

2. That, at all times pertinent hereto, Ms. Dupard was actively engaged in the practice of social work or as an applicant for a position as a social worker with the St. James Parish School Board (School Board), a position for which Ms. Dupard was hired in August, 2001.

3. That, during the interview for the position with the School Board, which Ms. Dupard believed required a Board Certified Social Worker (BCSW) now known as a Licensed Clinical Social Worker (LCSW), Ms. Dupard represented to interviewers that she was a BCSW, which she knew she was not.

4. That, over the course of the next approximately 18 months Milly Matherne, the Administrative Director at the St. James Parish School Board, requested that Ms. Dupard provide proof that she had the certificate that she needed for the job.

5. That, Ms. Dupard, in July of 2002, submitted to the School Board a forged State Department of Education certificate showing that Ms. Dupard was a school social worker, knowing that she was not.

6. That, in January of 2003 Ms. Dupard submitted to the School Board a second forged certificate of the State Department of Education showing that she was a school social worker, knowing that she was not.

7. That, in January of 2003 Ms. Dupard submitted to the School Board through Millie Matherne, a forged credential from the State of Louisiana Board of Social Work Examiners, which showed that she was a Licensed Clinical Social Worker (LCSW) knowing that she was not an LCSW.

8. That, Ms. Dupard has admitted that she knowingly submitted the forged documents, and did so in an interview by Michael Zaiontz, an investigator for the Board.

9. That, during her tenure with the School Board Ms. Dupard practiced clinical social work while not under the supervision of a LCSW.

10. That, Millie Matherne discovered the forgeries and misrepresentations in January 2003 and Ms. Dupard was allowed to resign her position.

WHEREAS, by submitting a forged Board certificate to the School Board Ms. Dupard has violated La. R.S. 37:2717 (A)(3) relative to obtaining certificate by fraud or deception.

WHEREAS, by failing to conspicuously display her current license, certificate or registration issued by the Board in her place of practice at the School Board, Ms. Dupard has violated her professional and ethical duty to properly display her social work credentials as set out in Rule 119(D) of the Rules, Standards and Procedures for Louisiana social workers which constitutes unprofessional or unethical conduct and pursuant to Rule 105 is a violation of La. R.S. 37:2717(A)(11) of the Louisiana Social Work Practice Act.

WHEREAS, by representing herself as a BCSW and/or by submitting a forged LCSW Board certificate to the School Board Ms. Dupard has violated her professional and ethical duty to only use such social worker designation to which she is entitled as set out in Rule 119(A) of the Rules, Standards and Procedures for Louisiana social workers which constitutes unprofessional or unethical conduct and pursuant to Rule 105 is a violation of LA. R.S. 37:2717(A)(11) of the Louisiana Social Work Practice Act.

WHEREAS, by submitting the forged Board certificate to her employer, the School Board, Ms. Dupard has violated her professional and ethical duty to refrain from misrepresenting directly or by implication the social worker's license, certificate, registration, degree and/or professional qualifications in any oral or written communication or permit or continue to permit any misrepresentation by others as set out in Rule 119(B) of the Rules, Standards and Procedures for Louisiana social workers. The violation of Rule 119(B) constitutes unprofessional or unethical conduct and pursuant to Rule 105 is a violation of La. R.S. 37:2717(A)(11) of the Louisiana Social Work Practice Act.

WHEREAS, by providing clinical social work services to the clients of the School Board without supervision while a PGSW, Ms. Dupard has violated her professional and ethical duty to provide services and represent herself as competent only within the boundaries of her credentials as set out in Rule 109(A)(1) and/or 109(C) of the Rules, Standards and Procedures for Louisiana social workers and which violation constitutes unprofessional or unethical conduct and pursuant to Rule 105 is a violation of La. R.S. 37:2717(A)(11) of the Louisiana Social Work Practice Act.

WHEREAS, by providing clinical social work services to clients of the School Board without supervision while a PGSW, Ms. Dupard has violated her professional and ethical duty to only practice social work within an agency under the supervision of a licensed clinical social worker and with all board-required supervision requirements[1] as set out in Rule 303(D)(1) of the Rules, Standards and Procedures for Louisiana social workers. This violation constitutes unprofessional or unethical conduct and pursuant to

[1] See Rule 505 of the Rules, Standards and Procedures for Louisiana social workers.

Rule 105 is a violation of La. R.S. 37:2717(A)(11) of the Louisiana Social Work Practice Act.

WHEREAS, by practicing clinical social work for the School Board without having a credential to do so Ms. Dupard has violated La. R.S. 37:2717 (A)(7) of the Louisiana Social Work Practice Act relative to practicing in a manner detrimental or potentially detrimental to the client by act or omission which act or omission is either the result of deliberate or intentional conduct or negligent conduct.

WHEREAS, the undersigned Assistant Attorney General has conducted an interview with the complainant who has indicated her desire to resolve this matter through a Consent Order.

WHEREAS, the credentialed social worker has indicated her desire to resolve this matter through a Consent Order;

IT IS HEREBY ORDERED that in consideration of the foregoing and pursuant to the authority vested in the Board by La. R.S. 49:955(D), the Board orders and Joe Ann Dupard accepts the following administrative action which is a final decision pursuant to La. R.S. 49:958:

1. Joe Ann Dupard's PGSW License # 7526 is suspended for a minimum of two (2) years beginning on December 6, 2003.
2. Joe Ann Dupard's PGSW License #7526 may be reinstated on December 6, 2005 if Joe Ann Dupard meets the following conditions prior to application to the Board for reinstatement.
   (a) Ms. Dupard must continue to meet the requirements for continuing education.

(b) Ms. Dupard must make restitution to the Board for costs and expenses of the investigation in the amount of $923.60.

(c) Ms. Dupard must refrain from the practice of social work during the period of suspension.

(d) Ms. Dupard must obtain a Psychological Evaluation at her expense with a mental health professional acceptable to the Board, and follow the course of treatment prescribed. If the Board and Ms. Dupard can not agree on a mental health professional within six months from December 6, 2003, the Board shall name three (3) mental health professionals from which Ms. Dupard must choose one for the evaluation and treatment. The mental health professional must submit a written copy of the evaluation to the Board within sixty (60) days of completion of the evaluation, and quarterly reports of treatment until discharge or reinstatement, whichever occurs first.

(e) Ms. Dupard must notify the Board in writing of her physical address and place of employment at the time of the hearing on accepting this Consent Order and must notify the Board in writing of any change of physical address or employment within seven (7) days of the change.

3. In the event that Joe Ann Dupard fails to meet the conditions as set forth above, the two (2) year suspension will be extended until such time as said conditions are met in full.

4. This Consent Order itself will be a public record of the resolution of this complaint and may be published in part, or in whole or summarized in the BCSW Newsletter.

IN WITNESS THEREOF, the Louisiana State Board of Social Work Examiners has entered into this Consent Order and executed same at Baton Rouge, Louisiana on this the 5th day of December, 2003.

E. Taylor Aultman, Jr., LCSW, Chairperson

Gretchen Goodrich, LCSW, Board Member

Janet C. Zelden, Public Member

Jeanette Jennings, PHD, GSW

Robert Showers, RSW, Secretary/Treasurer

I, Joe Ann Dupard, PGSW, do hereby acknowledge, accept and agree to entry of the above Consent Order. My signature acknowledges my understanding that this Consent Order is a final decision of the Board and is a public record which evidences the resolution of Complaint No. 2003-89. I hereby waive any and all legal, procedural, or judicial remedies, appeals, or relief which might be available under the Administrative Procedures Act, and the statutory and procedural rules of the Louisiana Board of Social Work Examiners.

11-20-03

Joe Ann Dupard, PGSW — Date
Social Worker

I, Charles F. Perry, Assistant Attorney General, do hereby acknowledge negotiation and preparation of this Consent Order in order to resolve, with prejudice, all matters for which the social worker, Joe Ann Dupard, could be charged under Complaint #2003-89; and further certify that this Consent Order is consistent with the evidence, adequately addresses the complaint and represents a true and correct statement of that which could be proven at a hearing of this matter.

11-20-03

Charles F. Perry — Date
Assistant Attorney General