

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS (LABSWE)**

**IN THE MATTER OF
SAMUEL J. MAURELLO
LICENSE No. 729**

**LABSWE COMPLAINT
NUMBER 2006-72**

CONSENT AGREEMENT AND ORDER

WHEREAS, Samuel J. Maurello 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 a complaint and administrative investigation, the social worker, Samuel J. Maurello, has indicated his desire to resolve this matter through a Consent Agreement and Order as provided for in Rule No. 907 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, Samuel J. Maurello, has admitted the following:

1. Mr. Maurello is and at all times pertinent to the facts and matters alleged herein, a Licensed Clinical Social Worker (LCSW) credentialed by the Board to engage in the practice of social work in the State of Louisiana pursuant to the Louisiana Social Work Practice Act, LA R.S. 37:2701 et seq., as evidenced by License No. 729.
2. At all times pertinent hereto, Mr. Maurello was actively engaged in his private Social Work practice.

3. That during the time period from November 2005 through the present, Mr. Maurello worked at in his private practice providing clinical social work services.
4. That Mr. Maurello admitted to Craig Meler, complaint investigation officer for the Board, and further admits to this Board that he, on or about January 04, 2006, paid Octavia Robert four hundred two and 96/100 dollars (\$402.96) out of his personal checking account, number 893, for clinical social work services Ms. Robert provided to Mr. Maurello's clients. Ms. Robert was not an employee at the time she was paid this check nor at the time she provided said services. No Federal withholding taxes, FICA or other retirement benefits were withheld from Ms. Robert's pay by Mr. Maurello at that time.
5. Rule 303(C) states, "Graduate Social Workers...shall not contract directly with individuals...agencies...for clinical services...."
6. Rule 301 defines a Social Work Employee as, "...the social worker provide...social work services, receives remuneration from an employer for these services, and...employer deduct federal withholding tax, FICA or other retirement benefits from the salary or wages."
7. That Mr. Maurello obtained a business trade name, opened a business checking account, and started withholding taxes from Ms. Robert's pay after he became aware of the Rule violation.
8. That Mr. Maurello has a medical and/or mental health situation that may be detrimental to clients if the condition is not monitored and controlled.

WHEREAS, by supervising and paying a Graduate Social Worker (GSW) as an independent contractor, Mr. Maurello has violated his professional and ethical duty that a social worker shall not knowingly participate in any activity or practice (including...supervising...) by which activity or practice an individual engages or continues to engage in a practice of social work which is prohibited by R.S. 37:2720 as set out in Rule 117D of the Rules, Standards and Procedures for Louisiana social workers, which action does constitute unethical conduct and pursuant to Rule 105 is a violation of LA R.S.37:2717 (A)(5) of the Louisiana Social Work Practice Act.

WHEREAS by independently practicing clinical social work with a medical and/or mental health situation that may be detrimental to clients, Mr. Maurello has violated his professional and ethical duty that a social worker shall not practice under a mental or physical condition that impairs the ability to safely practice, as set out in Rule 117(A) of the Rules, Standards and Procedures for Louisiana social workers, which failure does constitute unethical conduct and pursuant to Rule 105 is a violation of LA R.S.37:2717 (A)(5) of the Louisiana Social Work Practice Act.

WHEREAS, the credentialed social worker has indicated his desire to resolve this matter through this Consent Agreement and Order; and

WHEREAS the undersigned Assistant Attorney General has conducted an interview with the respondent who has indicated his desire to resolve this matter through this Consent Agreement and 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 Samuel J. Maurello accepts the following administrative action which is a final decision pursuant to the LA R.S. 49:958:

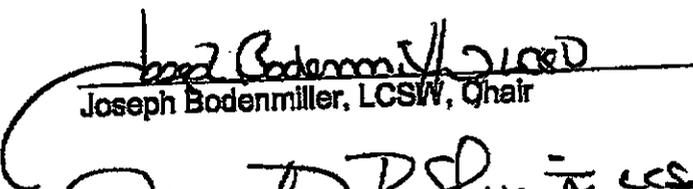
1. That Mr. Maurello shall successfully complete the LABSWE's Open Book Examination on the Social Work Practice Act; Rules, Regulations and Procedures; and ethical situations within ninety (90) days all parties sign this Consent Agreement and Order. Mr. Maurello is responsible for all fees related to the Open Book Examination.
2. That Mr. Maurello shall be evaluated by a Board-approved evaluator within thirty (30) days all parties sign this Consent Agreement and Order. The evaluator shall not be associated with the Board's Impaired Professional Program. The respondent agrees that the evaluator shall present his/her written findings to the Board within forty-five (45) days after all parties sign this Consent Agreement and Order.
3. That, if applicable, Mr. Maurello shall follow all recommendations made by the evaluator within the time frames established by the evaluator.
4. That Mr. Maurello shall assume financial responsibility for all costs related to the evaluation and, if applicable, subsequent compliance with the evaluator's recommendations.
5. That Mr. Maurello shall sign all requested releases of information related to compliance with this Consent Agreement and Order.

6. That Mr. Maurello shall pay the costs of investigation in the amount of one thousand nine hundred two and 96/100 dollars (\$1,902.96) within one (1) year after all parties sign this Consent Agreement and Order. The payments shall be quarterly, with the first payment due September 9, 2006. There shall be no pre-payment penalty.
7. Mr. Maurello specifically acknowledges that failure to comply with the terms of this Consent Agreement and Order may result in a suspension or revocation of his LCSW. The admissions contained herein, will be considered proven and the only issue will be failure to follow the terms of Consent Agreement and Order.
8. By agreeing to the terms of this Consent Agreement and Order, Mr. Maurello waives all rights to appeal this adjudication.

THIS CONSENT AGREEMENT AND ORDER is a matter of public record for violation of the above referenced sections of the Louisiana Social Work Practice Act and the Rules, Standards and Procedures. The terms of this Consent Agreement and Order may be published and reported, including but not limited to, the LABSWE Newsletter.

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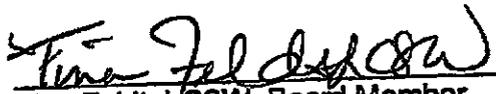
IN WITNESS THEREOF, the Louisiana State Board of Social Work
Examiners has entered into this Consent Agreement and Order and executed
same at Baton Rouge, Louisiana on this the 9th day of June, 2006.


Joseph Bodenmiller, LCSW, Chair


Jacqueline R. Shellington, LCSW, Vice Chair

Jeanette Jennings, PhD. GSW,
Secretary/Treasurer


Lola C. Coleman, LCSW, Board Member


Tina Feldt, LCSW, Board Member


Robert Showers, RSW, Board Member

