

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

**IN THE MATTER OF
Linda G. Phillips, LCSW
LICENSE No. 4496**

**LABSWE COMPLAINT
NUMBER 2008-246**

CONSENT AGREEMENT AND ORDER

WHEREAS, Linda G. Phillips 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, Linda G. Phillips, has indicated her 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, Linda G. Phillips, has admitted the following:

1. Ms. Phillips 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. 4496.

2. Ms. Phillips was actively engaged in the practice of social work at St. Patrick's Hospital Inner Psychiatric Division when she met the complainant, who was also an employee of St. Patrick's Hospital.
3. Complainant asked Ms. Phillips to supervise him once he obtained Graduate Social Work certification. Ms. Phillips agreed to provide supervision to complainant.
4. Ms. Phillips left employment at St. Patrick's Hospital and went to work as a social worker at Calcasieu Oaks, which is where she was employed during most, if not all, of the period of time she supervised the complainant.
5. That during the time period from October 2006 through December 2007, Ms. Phillips provided supervision to complainant twice per month for two hour sessions.
6. That Ms. Phillips admitted to Don Evans, complaint investigation officer for the Board, and further admits to this Board that she did not provide required supervision documentation to the Board.
7. That Ms. Phillips indicated to Don Evans that she delegated the supervision paperwork to her part-time secretary, who in November 2007 died. Ms. Phillips admitted to Don Evans, and further admits to this Board that she did not have access to the documentation after the death of her secretary.
8. That at the time of the investigation of this complaint, Ms. Phillips had not submitted the required supervision documentation to the Board.

WHEREAS, by agreeing to supervise a GSW and not submitting the required supervision forms, Ms. Phillips has violated her professional and ethical duty as set out in Louisiana Social Work Practice Act LA R.S. 37:2717(A)(7) by 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, by agreeing to supervise a GSW and not submitting the required supervision forms, Ms. Phillips has violated her professional and ethical duty that a social worker shall make reasonable efforts to advance the welfare and best interests of a client as set out in Rule 107(B) 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 delegating responsibility of completing and submitting required supervision forms to her secretary and not having access to that documentation, Ms. Phillips has violated her/his professional and ethical duty that a social worker shall make and maintain records, written or electronic, of services provided to a client, as set out in Rule 111(G)(1) 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 by failing to provide the required supervision documents in a timely manner, Ms. Phillips has violated her/his professional and ethical duty that

a social worker shall accurately complete and submit reports, assessments, evaluations, forms or similar documentation in a timely manner, as set out in Rule 111(G)(5) 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, Ms. Phillips has violated Rule 503(L)¹ of the Rules, Standards and Procedures by not submitting the original Supervision Agreement/Plan of Supervision within 60 days of the first supervision session and subsequently by not submitting a revised Supervision Agreement/Plan of Supervision within 60 days of the complainant beginning a new job.

WHEREAS, Ms. Phillips has violated Rule 503(S)² of the Rules, Standards and Procedures by not submitting the original Evaluation of Supervision and Termination of Supervision forms at the end of the supervisory period.

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

WHEREAS the undersigned Attorney handling the prosecution of this Complaint has conducted an interview with the respondent who has indicated her 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

¹ Rules, Standards and Procedures were amended July, 2008 – Rule 503(L) is currently Rule 503(R)

² Under the current Rules, Rule 503(S) is Rule 503(V)

orders and Linda G. Phillips accepts the following administrative action which is a final decision pursuant to the LA R.S. 49:958:

1. That Ms. Phillips shall receive a Public Reprimand.
2. That Ms. Phillips shall complete and submit all original supervision paperwork, to include Supervision Agreement/Plan of Supervision forms for all employers which employed the complainant during the time supervision was provided, Evaluation of Supervision, Termination of Supervision, and the Record of Supervision, within 30 days from the date all parties sign this Consent Agreement and Order.
3. That Ms. Phillips' Board Approved Clinical Supervisor (BACS) designation is rescinded effective the date that all parties sign this Consent Agreement and Order.
4. That Ms. Phillips shall terminate and file paperwork with any other GSW in which she is supervising towards LCSW within 15 days from the date that all parties sign this Consent Agreement and Order.
5. Ms. Phillips shall complete three (3) pre-approved hours of continuing education in the area of Record Keeping within one (1) year from the date all parties sign this Consent Agreement and Order. These hours must be pre-approved by the Board prior to completing the educational offering. These hours are in addition to the continuing education hours required annually to renew the license.
6. Ms. Phillips shall take and pass the Board's Open Book Examination on the Louisiana Social Work Practice Act and the Rules, Standards and

Procedures within 90 days from the date all parties sign this Consent Agreement and Order. All fees associated with taking the Open Book Examination shall be the responsibility of Ms. Phillips.

7. Ms. Phillips shall pay the costs of the investigation in the amount of \$1,185.00 within one (1) year from the date that all parties sign this Consent Agreement and Order. Payment of \$296.25 shall be made quarterly. There shall be no pre-payment penalty.
8. That Ms. Phillips may re-apply for BACS after she completes the terms of this Consent Agreement and Order and completes all requirements for obtaining BACS in accordance with Rule 507 of the Rules, Standards and Procedures.
9. Ms. Phillips specifically acknowledges that failure to comply with the terms of this Consent Agreement and Order may result in a suspension or revocation of her license. The admissions contained herein, will be considered proven and the only issue will be failure to follow the terms of this Consent Agreement and Order.
10. By agreeing to the terms of this Consent Agreement and Order, Ms. Phillips waives all rights to appeal this adjudication.

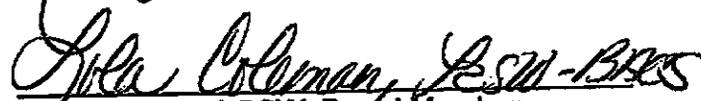
THIS CONSENT AGREEMENT AND ORDER is a matter of public record for violation of the above referenced sections of the Louisiana Social Work Practice Act and the Rules, Standards and Procedures. The terms of this Consent Agreement and Order may be published and reported, including but not limited to, the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

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 14th day of
November, 2008.


Wade Tyler, PhD, LCSW, Chair


Michael Hickerson, RSW, Vice-Chair


Roslyn Richardson, GSW, Secretary/Treasurer


Lola Coleman, LCSW, Board Member


Jacqueline Shellington, LCSW, Board Member

I, Linda G. Phillips, LCSW, make these acknowledgments and waivers in support of a final disposition of the pending investigation of Complaint #2008-246 by Consent Agreement and Order "Order" pursuant to La. R.S. §49:955(D), in lieu of the institution and prosecution of formal administrative proceedings, and accordingly consent to the entirety of the Order set forth hereinafter and further waive any right to which I may be entitled under the Louisiana Administrative Procedure Act or any other law to contest, in any court, my agreement to this Order. By my subscription hereto, I also hereby authorize Jacqueline Shellington designated by the Board with respect hereto, as well as the legal counsel assisting her, to present this Order to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation of this matter. I herein waive any objection to such disclosure based on due process of law under either the State or Federal Constitution or under State statutory law, including La.R.S. §49:960. I expressly acknowledge that the disclosure of such information to the Board by Jacqueline Shellington or her legal counsel shall be without prejudice to the Assistant Attorney General's authority to file a formal Administrative Complaint, or the Board's capacity to adjudicate such Administrative Complaint, should the Board decline to approve this Consent Agreement and Order. I further acknowledge my awareness that should the Board approve this Consent Agreement and Order that the Order will become a matter of public record.

Linda Phillips 11/3/08
(Name) Date

I, Emalie Boyce, Prosecutor, do hereby acknowledge negotiation and preparation of this Consent Agreement and Order in order to resolve, with prejudice, all matters for which the social worker, (Name), could be charged under Complaint No. 2008-246; and further certify that this Consent Agreement and 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.

Emalie Boyce 11-3-08
Emalie Boyce Date
Prosecutor