

LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS (LABSWE)

IN THE MATTER OF
RACHELE LYNN CUTRER
LICENSE No. 8467

LABSWE COMPLAINT
NUMBER 2008-33

CONSENT AGREEMENT AND ORDER

WHEREAS, Rachele Lynn Cutrer was 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, Rachele Lynn Cutrer, 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, Rachele Lynn Cutrer, has admitted the following:

1. Ms. Cutrer is and at all times pertinent to the facts and matters alleged herein, a Graduate Social Worker (GSW) 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. 8467.

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2. At all times pertinent hereto, Ms. Cutrer was actively engaged in the practice of social work at St. Helena Alcohol and Drug Abuse Clinic in Greensburg, Louisiana.
3. That Ms. Cutrer's renewal application for 2005-2006 was denied because she was in default of her student loans. Subsequently, her credential lapsed on August 31, 2006.
4. That Ms. Cutrer admitted to Don Evans, complaint investigation officer for the Board, and further admits to this Board that she presented a copy of a license with her name and an expiration date of August 31, 2007 to her employer.
5. That Ms. Cutrer advised Don Evans and further advises the Board, that her husband handled all of their financial responsibilities, to include paying her renewal fee and making payments towards her student loans.
6. That Ms. Cutrer advised Don Evans that her husband provided her a copy of a license with her name and an expiration date of August 31, 2007, and advised her that the original license was stored in a safety deposit box at First Guaranty Bank in Amite, LA.
7. That Ms. Cutrer admitted to Don Evans on September 14, 2007, and further admits to this Board, that she presented a copy of an altered license to her employer.
8. That Ms. Cutrer agreed to provide more information to the Board investigator within two weeks of the interview conducted on September

14, 2007 to prove that she unknowingly provided a copy of an altered license to her employer.

9. That Ms. Cutrer did not provide this information.

WHEREAS, by submitting an altered license to her employer, Ms. Cutrer violated her professional and ethical duty that a social worker shall not deceive or defraud the public or make, submit, or cause to be submitted any false or deceptive claims, reports..., which action does constitute unethical conduct and pursuant to Rule 105 is a violation of LA R.S. 37:2717(A)(10).

WHEREAS, by submitting an altered license to her employer, Ms. Cutrer violated her professional and ethical duty that a social worker shall represent her qualifications truthfully as set out in Rule 119(C), which action does constitute unethical conduct and pursuant to Rule 105 is a violation of LA R.S. 37:2717(A)(5).

WHEREAS, by practicing social work with a lapsed license, Ms. Cutrer has violated her professional and ethical duty that a social worker shall provide services and represent herself as competent only within the boundaries of her credential as set out in Rule 109(A) 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 practicing social work with a lapsed license, Ms. Cutrer has violated her professional and ethical duty that a social worker shall only use the social work designation to which she is entitled as set out in Rule 119(A) 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 not providing the information she agreed to provide to Don Evans, complaint investigation officer, Ms. Cutrer has violated her professional and ethical duty that a social worker shall cooperate with a Board investigation, as set out in Rule 117(C) 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 her/his 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 his/her desire to resolve this matter through this Consent Agreement and Order;

WHEREAS, the credentialed social worker agrees not to repeat the misconduct mentioned in this Consent Agreement and Order, and acknowledges such repeated misconduct will be considered a violation of the terms of 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 Rachele Lynn Cutrer accepts the following administrative action which is a final decision pursuant to the LA R.S. 49:958:

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1. Rachele Cutrer's Graduate Social Work certification is revoked for a period of two (2) years from the date all parties sign this Consent Agreement and Order.
2. Ms. Cutrer shall not re-apply for a social work credential for a minimum of two (2) years from the date all parties sign this Consent Agreement and Order. After two (2) years Ms. Cutrer is eligible to apply for Registered Social Work registration or Graduate Social Work certification.
3. Any application received by the Board from Ms. Cutrer shall be considered a new application, which subjects Ms. Cutrer to examination requirements at the Graduate Social Work level.
4. Ms. Cutrer shall take and pass the Board's Open Book Examination prior to re-application for a social work credential. All costs associated with the exam shall be paid by Ms. Cutrer.
5. Ms. Cutrer shall complete five (5) pre-approved hours of continuing education in the area of social work ethics prior to re-application for a social work credential. The continuing education opportunities must be pre-approved by the Board prior to completing the hours.
6. Ms. Cutrer shall pay a fine of \$500.00 prior to re-application for a social work credential.
7. By agreeing to the terms of this Consent Agreement and Order, Ms. Cutrer waives all rights to appeal this adjudication.

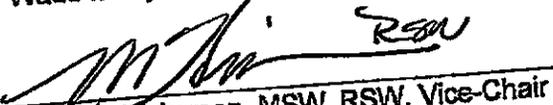
THIS CONSENT AGREEMENT AND ORDER is a matter of public record for violation of the above referenced sections of the Louisiana Social Work Practice Act and the Rules, Standards and Procedures. The terms of this Consent Agreement and Order may be published and reported, including but not limited to, the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

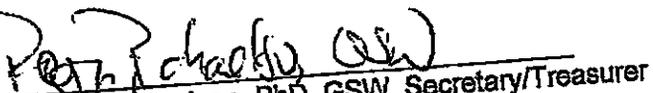
THE ADMISSIONS AND FINDINGS CONTAINED HEREIN are intended solely for the purpose of resolving the case at hand or in connection with other matters before the Board involving Respondent.

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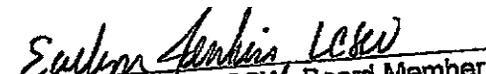
IN WITNESS THEREOF, the Louisiana State Board of Social Work
Examiners has entered into this Consent Agreement and Order and executed
same at Baton Rouge, Louisiana on this the 19th day of
June, 2009.

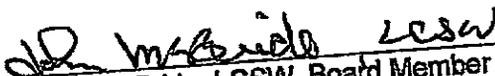

Wade M. Tyler, PhD, LCSW, Chair


Michael Flickerson, MSW, RSW, Vice-Chair


Roslyn Richardson, PhD, GSW, Secretary/Treasurer


Hope Himef-Benson, LCSW, Board Member


Evelyn Jenkins, LCSW, Board Member


John McBride, LCSW, Board Member

I, Rachele Lynn Cutrer, make these acknowledgments and waivers in support of a final disposition of the pending Investigation of Complaint #2008-33 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 Evelyn Jenkins 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 Evelyn Jenkins 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.

Rachele Lynn Cutrer 6/19/09
Rachele Lynn Cutrer Date

I, Lindsey K. Hunter, 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, Rachele Lynn Cutrer, could be charged under Complaint No. 2008-33; 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.

Lindsey K. Hunter 6/19/09
Lindsey K. Hunter Date
Prosecutor