

**LOUISIANA STATE BOARD OF  
SOCIAL WORK EXAMINERS**

**IN THE MATTER OF**

**LABSWE COMPLAINT**

**SHANNON LEE McDANIEL**

**NUMBER 2010-58**

**LICENSE NO. 8915**

**CONSENT AGREEMENT AND ORDER**

**WHEREAS**, Shannon Lee McDaniel 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 an administrative investigation, the social worker, Shannon Lee McDaniel, 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, Shannon Lee McDaniel, has admitted the following:

1. Respondent, Shannon Lee McDaniel, (Ms. McDaniel) 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 Social Work Practice Act, La. R.S. 37:2701 et seq., as evidenced by License No. 8915.
2. At all times pertinent hereto, Ms. McDaniel was actively engaged in the practice of social work.

3. Ms. McDaniel's urine sample tested positive for use of THC marijuana and Oxazepam, a benzodiazepine.
4. Ms. McDaniel admits she did not inform her previous employer, the complainant, of her use and treatment for opiates.
5. Ms. McDaniel received "Corrective Action Notifications" from her previous employer. Written documentation by her previous employer reported slurred speech, not remembering recent discussions, not following through with orders and failure to see clients as soon as possible when requested.
6. Ms. McDaniel answered "no" to questions on her 2009 and 2010 renewal applications that asked if she practiced while impaired by chemicals and if she participated in a drug treatment or rehabilitation program.
7. By submitting the renewal application online, Ms. McDaniel certified "to the LABSWE that the above statements are true and correct."

**WHEREAS**, by using drugs to an extent which affected her professional competence and by testing positive for the use of the marijuana and Oxazepam, the Board may discipline Ms. McDaniel for violation of La. R.S. 37:2717(A)(2) and (A)(7) and for violation of Rule 117(A) of the Board's Rules, Standards and Procedures.

**WHEREAS**, by submitting false statements on her 2009 and 2010 renewal applications, the Board may discipline Ms. McDaniel for violation of Rules 111(G)(5) and 107(A) of the Board's Rules, Standards and Procedures, and La. R.S. 37:2717(A)(9), (A)(11) and (A)(12).

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

**WHEREAS**, the undersigned Assistant Attorney General has conducted an interview with the respondent who has indicated her desire to resolve this matter through a Consent Agreement and Order;

**WHEREAS**, the credentialed social worker agrees not to repeat the misconduct mentioned in this Consent Agreement and Order, and 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 Ms. McDaniel accepts the following administrative action which is a final decision pursuant to La. R.S. 49:958:

1. Ms. McDaniel shall be placed on probation for one year from the date that all parties sign this Consent Agreement and Order. The probationary period may be extended by the Board based upon recommendation of the IPP Manager.
2. Ms. McDaniel shall be evaluated by the Louisiana State Board of Social Work Examiners' Impaired Professional Program (IPP), at her expense, within thirty (30) days from the date all parties sign this Consent Agreement and Order, and follow all recommendations of the designated IPP evaluator.
3. Ms. McDaniel shall complete one (1) hour of supervision of her social work practice every other week for a period of one year by a Board Approved Clinical

Supervisor (BACS) pre-approved by the Board. Ms. McDaniel shall submit to the Board the name of the potential supervisor and his/her resume within fifteen (15) days of all parties signing this Consent Agreement and Order. The potential supervisor shall submit a letter to the Board stating his/her acceptance of the provision of said supervision and stating he/she is not, or previously has not been, professionally or personally affiliated with Ms. McDaniel prior to this request for supervision. The supervisor shall submit quarterly supervision reports to the Board documenting dates met for supervision, topics addressed and progress made in supervision. Ms. McDaniel is responsible for all costs associated with supervision.

4. Under the direction and approval of her supervisor, Ms. McDaniel shall complete a total of three (3) hours of continuing education on the subject of ethics. This continuing education is in addition to the annual twenty (20) hours of continuing education required to maintain her GSW. Ms. McDaniel shall provide the Board with evidence of attendance within one (1) year after all parties sign this Consent Agreement and Order.
5. Ms. McDaniel shall pay the investigative and legal costs associated with Complaint 2010-58 in the amount of \$958.88 (Nine Hundred Fifty Eight Dollars and 88/100) within ninety (90) days that all parties sign this Consent Agreement and Order. There shall be no pre-payment penalty.
6. Ms. McDaniel shall pass the Board's Open Book Examination on the Social Work Practice Act and Rules, Standards & Procedures within ninety (90) days after the

date that all parties sign this Consent Agreement and Order. Ms. McDaniel shall be responsible for all costs associated with the Open Book Examination.

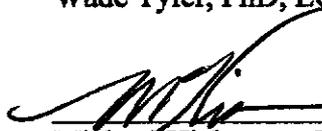
7. Ms. McDaniel shall provide her employer with a copy of this Consent Agreement and Order within thirty days from the date all parties sign this Consent Agreement and Order. Proof that the employer received a copy of this Consent Agreement and Order must be sent to the Board within fourteen days from the date of employer's receipt. Providing the Board with proof of the employer's receipt is the responsibility of the Respondent.
8. Ms. McDaniel specifically acknowledges that failure to comply with the terms of the 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 the Consent Agreement and Order.
9. By agreeing to the terms of this Consent Agreement and Order, Ms. McDaniel 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 Association of Social Work Boards (ASWB), and the National Practitioner Data Bank-Healthcare Integrity and Protection Data Bank (NPDB-HIPDB).

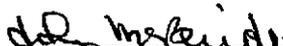
**THE ADMISSIONS AND FINDINGS CONTAINED HEREIN** are intended solely for the purpose of resolving the case at hand or in connection with other matters before the Board involving Respondent.

**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 16th day of April, 2010.

\_\_\_\_\_  
Wade Tyler, PhD, LCSW, Chair

  
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Michael Hickerson, RSW, Vice-Chair

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Roslyn Richardson, PhD, GSW, Secretary/Treasurer

  
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John McBride, LCSW, Board Member

  
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Evelyn Jenkins, LCSW, Board Member

  
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Hope Himel Benson, LCSW, Board Member

I, Shannon Lee McDaniel, GSW, make these acknowledgments and waivers in support of a final disposition of the pending investigation of Complaint #2010-58 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 hereinbefore 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.

Shannon Lee McDaniel, GSW 4-16-10  
Shannon Lee McDaniel, GSW Date

I 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, Shannon Lee McDaniel, could be charged under Complaint No. 2010-58, 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 Hunter 4/16/10  
Emalie Boyce Date  
Lindsey Hunter  
Prosecutors