

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

IN THE MATTER OF

LABSWE COMPLAINT

CRYSTAL FAULKNER

PROVISIONAL LICENSE NO. 6796

NUMBER 2009-84

WHEREAS Crystal Faulkner 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, Crystal Faulkner, 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, Crystal Faulkner, has admitted the following:

1. Respondent, Crystal Faulkner, (Ms. Faulkner and also known as Crystal Black) at the times pertinent to the facts and matters alleged herein, was a Provisional Graduate Social Worker (Provisional GSW), provisionally 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 License No. 6796.

2. At all times pertinent hereto, Ms. Faulkner was actively engaged in the practice of social work at A New Beginning of New Orleans, Inc., a Louisiana corporation authorized by Medicaid as a Personal Care Attendant Provider.
3. Beginning on or about May 22, 2003, and continuing until on or about May 4, 2005, in the Eastern District of Louisiana and elsewhere, Ms. Faulkner did knowingly and willfully execute and attempt to execute a scheme to defraud Medicaid and obtain, by means of false and fraudulent pretenses, representations, and promises, money owned by, and under the custody and control of, Medicaid in connection with the delivery of and payment for health care benefits and services.
4. As part of the scheme to defraud, false time sheets were made to create the appearance that workers at A New Beginning of New Orleans, Inc. were performing Personal Care Services to Medicaid recipients.
5. Personal Care Services Daily Schedules were falsified to create the appearance that assistance with performing activities of daily living was being provided to Medicaid recipients.
6. Workers at A New Beginning of New Orleans, Inc. were not providing any Personal Care Services to the Medicaid recipients, and the false documentation was created solely to support the Medicaid billing.
7. Between May 22, 2003 and May 4, 2005, A New Beginning of New Orleans, Inc. submitted billings to Medicaid based upon the false documentation created by Ms. Faulkner, for which they were paid approximately \$71,712.

8. On November 4, 2008, Ms. Faulkner appeared in the U.S. District Court, Eastern District of Louisiana, and pled guilty to one (1) count of Health Care Fraud, 18 USC 1347.

WHEREAS, by pleading guilty to health care fraud, 18 U.S.C.A. § 1347, the Board has the power to revoke or suspend the license of Ms. Faulkner, or otherwise discipline Ms. Faulkner, as established by La. R.S. 37:2717(A)(1).

WHEREAS, by the actions described above, and by pleading guilty to health care fraud, 18 U.S.C.A. § 1347, Ms. Faulkner has violated an order, rule, or regulation adopted by the board, such conduct which is cause for disciplinary action by the Board, as established by La. R.S. 37:2717(A)(5).

WHEREAS, by the actions described above, and by pleading guilty to health care fraud, 18 U.S.C.A. § 1347, Ms. Faulkner has deceived or defrauded the public by making, submitting or causing to be submitted any false or deceptive claims, reports, charges, assessments, or opinions regarding any client or service provided to any client, insurance company, health care provider, third-party payor, company, individual or any governmental agency for the purpose of obtaining payment or anything of economic value, such conduct which is cause for disciplinary action by the Board, as established by La. R.S. 37:2717(A)(10).

WHEREAS, by the actions described above, and by pleading guilty to health care fraud, 18 U.S.C.A. § 1347, Ms. Faulkner has failed to maintain good moral character, as described by the Louisiana Social Work Practice Act and the Rules, Standards and

Procedures, such conduct which is cause for disciplinary action by the Board, as established by La. R.S. 37:2717(A)(12).

WHEREAS, the formerly 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.

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. Faulkner accepts the following administrative action which is a final decision pursuant to the La. R.S. 49:958:

1. Ms. Faulkner's license will be revoked for a period of five years from the date that all parties sign this Consent Agreement and Order.
2. If, at the end of the five year revocation period, Ms. Faulkner wishes to apply for her G.S.W., she shall be required to meet any requirements a new applicant would have to meet for becoming a G.S.W., as described in the Louisiana Social Work Practice Act and the Rules, Standards and Procedures.
3. Upon re-entering the workforce and once again practicing social work, Ms. Faulkner shall complete one (1) hour of supervision of her social work practice

every other week for a period of twelve (12) months by a LCSW pre-approved by the Board. Ms. Faulkner shall submit to the Board the name of the potential supervisor and his/her resume within fifteen (15) days of resuming the practice of social work. 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. Faulkner 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. Faulkner is responsible for all costs associated with supervision. This supervision is to be in addition to any supervision that may be required in order for Ms. Faulkner to practice as a G.S.W.

4. In courses approved by the Board in advance, Ms. Faulkner shall complete a total of thirty (30) hours of continuing education: six (6) hours on the subject of ethics, six (6) hours on the subject of documentation and billing practices, ten (10) hours of clinical, including diagnosis and treatment, and the remaining eight (8) hours can be on the subject of Ms. Faulkner's choosing. Ms. Faulkner may begin to obtain these continuing education hours six months before her revocation is to end, and may receive up to ten (10) hours of continuing education credits online.
5. Ms. Faulkner shall pass the Board's Open Book Examination on the Social Work Practice Act and Rules, Standards & Procedures within ninety (90) days of reapplying for her license. Ms. Faulkner shall be responsible for all costs associated with the Open Book Examination.

6. Ms. Faulkner shall pay a fine for the above referenced violations in the amount of five thousand dollars (\$5000) prior to reapplication for a social work credential. There shall be no penalty for arranging to pay this fine in installments. Installment payments by certified check, money order or credit card are allowable.
7. Ms. Faulkner specifically acknowledges that failure to comply with the terms of the Consent Agreement and Order may result in a permanent or continued 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.
8. By agreeing to the terms of this Consent Agreement and Order, Ms. Faulkner 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 5th day of November, 2010.

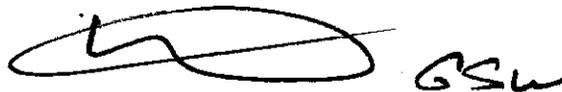

John McBride, LCSW, Chair


Michael Hickerson, RSW, Vice-Chair

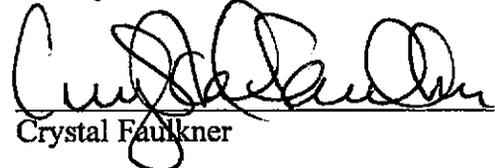
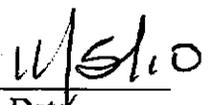

Evelyn Jenkins, LCSW, Board Member


Hope Hiraël-Benson, LCSW, Board Member

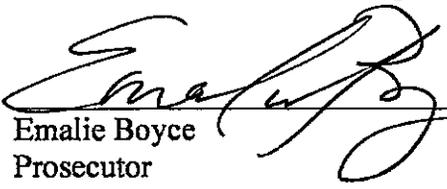
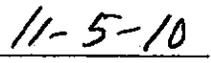

Wade Tyler, PhD, LCSW, Board Member


Naaman Stewart, GSW, Board Member

I, Crystal Faulkner, make these acknowledgments and waivers in support of a final disposition of the pending investigation of Complaint #2009-89 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 Hope Himel-Benson 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 Hope Himel-Benson 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.


Crystal Faulkner

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, Crystal Faulkner, could be charged under Complaint No. 2009-89; 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
Prosecutor

Date