

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

IN THE MATTER OF

LABSWE COMPLAINT

ROBERT IVORY LEVY

LICENSE NO. 1779

NUMBER 2009-61

WHEREAS Robert Ivory Levy 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, Robert Ivory Levy, 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, Robert Ivory Levy, has admitted the following:

1. Respondent, Robert Ivory Levy, (Mr. Levy) is and at all times pertinent to the facts and matters alleged herein a Licensed Clinical Social Worker (L.C.S.W.), 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. 1779.
2. At all times pertinent hereto, Mr. Levy was actively engaged in the practice of social work, employed by Above & Beyond.

3. Mr. Levy promised counseling services to an individual through his employment with Above & Beyond that were never provided. Mr. Levy has no documentation of providing these services, yet created falsified billing sheets and filed claims with Medicare that services had been provided.
4. On or about September 10, 2009, Mr. Levy pled guilty to one count of an indictment charging him with health care fraud (18 U.S.C. §1347).
5. As a result of his guilty plea, Mr. Levy faces a maximum sentence of a term of imprisonment of ten (10) years, a \$250,000 fine, or both. The court may also order Mr. Levy to pay restitution in accordance with law.

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 Mr. Levy, or otherwise discipline Mr. Levy, 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, Mr. Levy 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, Mr. Levy 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, Mr. Levy 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 credentialed social worker has indicated his 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 his 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 Mr. Levy accepts the following administrative action which is a final decision pursuant to the La. R.S. 49:958:

1. Mr. Levy'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, Mr. Levy wishes to apply for his G.S.W., he 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. If, at the end of the five year revocation period, Mr. Levy wishes to apply for his L.C.S.W., he shall be required to meet any requirements a new applicant would have to meet for becoming a L.C.S.W., as described in the Louisiana Social Work Practice Act and the Rules, Standards and Procedures.
4. Upon re-entering the workforce and once again practicing social work, Mr. Levy shall complete one (1) hour of supervision of his social work practice every other week for a period of twenty-four (24) months by a LCSW pre-approved by the Board. Mr. Levy 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 Mr. Levy 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. Mr. Levy 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 Mr. Levy to practice as a G.S.W. or become relicensed as a L.C.S.W. to practice social work.

5. In courses approved by the Board in advance, Mr. Levy 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 Mr. Levy's choosing. Mr. Levy may begin to obtain these continuing education hours six months before his revocation is to end, and may receive up to ten (10) hours of continuing education credits online.
6. Mr. Levy shall pass the Board's Open Book Examination on the Social Work Practice Act and Rules, Standards & Procedures within ninety (90) days of applying for his license. Mr. Levy shall be responsible for all costs associated with the Open Book Examination.
7. Mr. Levy shall pay a fine for the above referenced violations in the amount of five thousand dollars (\$5,000) prior to reapplication for a social work credential. Installment payments by certified check, money order or credit card are allowable.
8. Mr. Levy specifically acknowledges that failure to comply with the terms of the Consent Agreement and Order may result in a suspension or revocation of his 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, Mr. Levy waives all rights to appeal this adjudication.

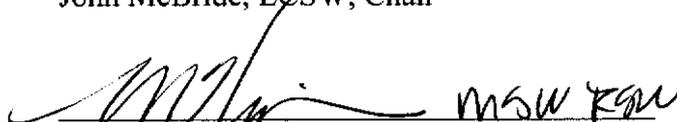
THIS CONSENT AGREEMENT AND ORDER is a matter of public record for violation of the above referenced sections of the Louisiana Social Work Practice Act and the Rules, Standards and Procedures. The terms of this Consent Agreement and Order may be published and reported, including but not limited to, the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

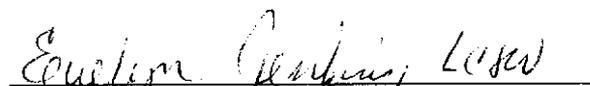
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IN WITNESS THEREOF, the Louisiana State Board of Social Work Examiners has entered into this Consent Agreement and Order and executed same at Baton Rouge, Louisiana on this the 10th day of December, 2010.


John McBride, LCSW, Chair


Michael Hickerson, RSW, Vice-Chair


Hope Himmel-Benson, LCSW, Secretary/Treasurer


Evelyn Jenkins, LCSW, Board Member

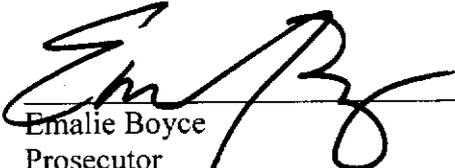

Naaman Stewart, GSW, Board Member


Wade Tyler, PhD, LCSW, Board Member

I, Robert Ivory Levy, LCSW, make these acknowledgments and waivers in support of a final disposition of the pending investigation of Complaint #2009-61 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 him, 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.

 12-10-10
Robert Ivory Levy, LCSW 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, Robert Ivory Levy, could be charged under Complaint No. 2009-61; 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.

 12.10.10
Emalie Boyce Date
Prosecutor