

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

**IN THE MATTER OF
JESSICA DONAHO
LICENSE NO. 7220**

**LABSWE COMPLAINT
NUMBER 2011-39**

CONSENT AGREEMENT AND ORDER

WHEREAS, Jessica Donaho 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, Jessica Donaho, 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, Jessica Donaho, has admitted the following:

1. Respondent, Jessica Donaho, ("Ms. Donaho") is and at all times pertinent to the facts and matters alleged herein a Licensed Masters Social Worker¹ (LMSW), 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. 7220.

¹ Please note that under Act 880 of the 2010 Legislative Session, a person duly registered to practice master's social work under the Social Work Practice Act is now referred to as a "Licensed Masters Social Worker" and no longer referred to as a "Graduate Social Worker."

2. At all times pertinent to the facts of this case, Ms. Donaho was actively engaged in the practice of social work at the Natchitoches Regional Medical Center in the Senior Care Unit.
3. While working at the Natchitoches Regional Medical Center, she failed to maintain proper documentation involving patients.
4. Ms. Donaho improperly removed employee payroll information from the Natchitoches Regional Medical Center and attempted to dispose of the records.
5. Ms. Donaho improperly obtained a medical prescription pad from a doctor with the Natchitoches Regional Medical Center and illegally obtained prescriptions using the doctor's DEA number and a forged signature.
6. While working at the Natchitoches Regional Medical Center, Ms. Donaho reported to work impaired.

WHEREAS, by failing to maintain proper documentation on patients, Ms. Donaho has practiced in a manner detrimental or potentially detrimental to the client, such conduct which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(7); Ms. Donaho has failed to properly maintain records of services provided to clients in violation of Rule 111(G), such conduct which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(5), Rule 105 and La. R.S. 37:2717(A)(11); Ms. Donaho has failed to make reasonable efforts to advance the welfare and best interests of a client in violation of Rule 107(B), such conduct which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(5), Rule 105 and La. R.S. 37:2717(A)(11);

WHEREAS, by reporting to work impaired, Ms. Donaho has violated Rule 117(A), which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(5), Rule 105 and La. R.S. 37:2717(A)(11); Ms. Donaho has practiced in a manner detrimental or potentially detrimental to the client, which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(7);

WHEREAS, by improperly removing employee payroll information and attempting to dispose of the records, Ms. Donaho has failed to maintain good moral character, which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(5), Rule 105 and La. R.S. 37:2717(A)(11);

WHEREAS, by illegally obtaining prescriptions using a stolen prescription pad and forged signature, Ms. Donaho has failed to maintain good moral character, which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(5), Rule 105 and La. R.S. 37:2717(A)(11).

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 acknowledges that any repeat of the misconduct mentioned in this Consent Agreement and Order will be considered a violation of the terms of this Consent Agreement and Order and cause for further disciplinary action.

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

1. Ms. Donaho's license shall be suspended for a period of one year from the date all parties sign this Consent Agreement. Consistent with Rule 311, this suspension does not negate Ms. Donaho's responsibility and obligation to obtain twenty (20) hours of annual continuing education and pay any applicable licensure fees required to maintain her LMSW.
2. Following the suspension, Ms. Donaho's license shall be placed on probationary status for eighteen months, with her practice restricted to a non-medical setting.
3. Ms. Donaho 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 signing of this agreement and follow all recommendations of the designated IPP evaluator in a timely manner. Such recommendations may include, but are not limited to, drug screens and therapy.
4. At such time as Ms. Donaho resumes the practice of social work, she shall complete one (1) hour of supervision of her social work practice every month for a period of eighteen months by a LCSW-BACS pre-approved by the Board. The focus of said supervision will be on record-keeping. Ms. Donaho 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 a statement that he/she has not previously, nor currently, been professionally or personally affiliated with Ms. Donaho 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. Donaho is responsible for all costs associated with supervision.

5. Ms. Donaho shall pay the investigative and legal costs associated with Complaint 2011-39 in the amount of \$823.50 within one (1) year that all parties sign this Consent Agreement and Order. The payments shall be made on a quarterly basis with the first payment due within thirty days from the date all parties sign this Consent Agreement and Order. There shall be no pre-payment penalty.
6. Ms. Donaho 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.
7. By agreeing to the terms of this Consent Agreement and Order, Ms. Donaho waives all rights to appeal this adjudication.

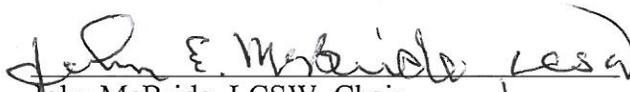
THIS CONSENT AGREEMENT AND ORDER is a matter of public record for violation of the above referenced sections of the Louisiana Social Work Practice Act and the Rules, Standards and Procedures. The terms of this Consent Agreement and Order may be published and reported, including but not limited to, the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

the Association of Social Work Boards (ASWB), and the National Practitioner Data Bank-Healthcare Integrity and Protection Data Bank (NPDB-HIPDB).

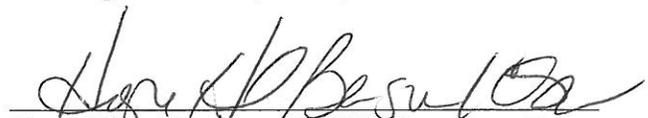
THE ADMISSIONS AND FINDINGS CONTAINED HEREIN are intended solely for the purpose of resolving the case at hand or in connection with other matters before the Board involving Respondent.

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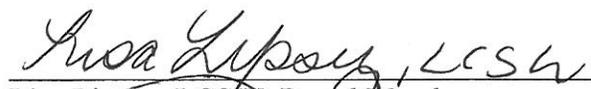
IN WITNESS THEREOF, the Louisiana State Board of Social Work Examiners
has entered into this Consent Agreement and Order and executed same at Baton Rouge,
Louisiana on this, the 10th day of June, 2011.


John McBride, LCSW, Chair


Michael Hickerson, RSW, Vice-Chair

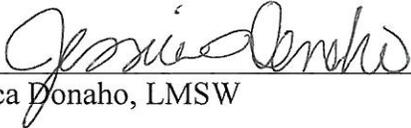

Hope Himel-Benson, LCSW, Secretary-Treasurer


Evelyn Jenkins, LCSW, Board Member


Lisa Lipsey, LCSW, Board Member


Naaman Stewart, LMSW, Board Member

I, Jessica Donaho, LMSW, make these acknowledgments and waivers in support of a final disposition of the pending investigation of Complaint No. 2011-39 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, LCSW, 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, LCSW, 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.



Jessica Donaho, LMSW



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, Jessica Donaho, LMSW, could be charged under Complaint No. 2011-39; 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