

**LOUISIANA STATE BOARD OF  
SOCIAL WORK EXAMINERS**

**IN THE MATTER OF**

**ADMINISTRATIVE COMPLAINT**

**KATHRYN C. BROWN**

**LICENSE NO. 8238**

**NUMBER 2011-47**

**CONSENT AGREEMENT AND ORDER**

**WHEREAS**, Kathryn C. Brown 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, Kathryn C. Brown, 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, Kathryn C. Brown, has admitted the following:

1. Respondent, Kathryn C. Brown, ("Ms. Brown") is and at all times pertinent to the facts and matters alleged herein a Licensed Masters Social Worker ("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. 8238.
2. At all times pertinent to the facts of this case, Ms. Brown was engaged in the practice of social work as a part-owner of The Center for Better Living, an

adult day healthcare facility and long-term personal care agency, located in Franklinton, Louisiana.

3. The Louisiana Medicaid Program Integrity Unit performed a post-payment review of Medicaid payments to The Center for Better Living.
4. The investigation indicated billing problems in the following areas: billing for overlapping services, billing for long term-personal care services while recipient is in an adult day care facility, billing for long term-personal care services provided by an available caregiver, billing undocumented long term-personal care services and/or billing for more long term-personal care services than actually provided, billing for long term-personal care services not in accordance with the plan of care, insufficient documentation and billing for personal care services while recipient was hospitalized.
5. As a result of this investigation, on or about January 2011, The Center for Better Living was excluded from further participation in the Louisiana Medicaid Program.

**WHEREAS**, by participating in the above cited deceptive billing practices, Ms. Brown has made, submitted, or cause to be submitted false or deceptive claims, reports, charges, assessments or opinions regarding any client or service provided to any client for the purpose of obtaining payment, such conduct which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(10);

**WHEREAS**, by participating in the above cited billing practices, Ms. Brown has failed to accurately and completely maintain records of services provided to clients, as

required by Rule 111(G), which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(5);

**WHEREAS**, as described above, Ms. Brown has engaged in unprofessional or unethical conduct as defined by the rules and regulations adopted by the board, which is cause for disciplinary action pursuant to 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. Brown accepts the following administrative action which is a final decision pursuant to La. R.S. 49:958:

1. Ms. Brown's license shall be suspended for a period of six months from the date all parties sign this Consent Agreement. Consistent with Rule 311, this suspension does not negate Ms. Brown'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. Ms. Brown's license shall be on probationary status for a period of two years following the suspension of her license.
3. Ms. Brown shall work only in an agency setting, and not in private practice, during the period of probation.
4. After the period of suspension, at such time as Ms. Brown 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 one year by a LCSW-BACS pre-approved by the Board. Ms. Brown 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. Brown 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. Brown is responsible for all costs associated with supervision.
5. In courses approved by the Board in advance, Ms. Brown shall complete a total of five (5) hours of continuing education on the subjects of record keeping, documentation and billing within one year of signing this Consent Agreement and Order. This continuing education is in addition to the annual twenty hours of continuing education required to maintain her LMSW. Ms. Brown shall provide

the Board with evidence of attendance within thirty (30) days of completing the continuing education hours. Ms. Brown may obtain these continuing education hours during her period of suspension if done in person, as opposed to distance learning.

6. Ms. Brown shall pay the legal costs associated with Complaint 2011-47 in the amount of \$540.00 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.
7. Within ninety days of signing this Consent Agreement and Order, Ms. Brown shall successfully complete the Board's open-book examination on the Louisiana Social Work Practice Act and the Rules, Standards and Procedures, which may be accessed at [www.labswe.org](http://www.labswe.org).
8. Ms. Brown 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. Brown waives all rights to appeal this adjudication.

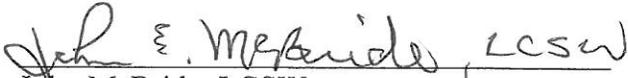
**THIS CONSENT AGREEMENT AND ORDER** is a matter of public record for violation of the above referenced sections of the Louisiana Social Work Practice Act and the Rules, Standards and Procedures. The terms of this Consent Agreement and Order

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.

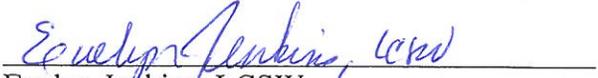
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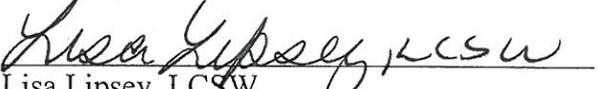
IN WITNESS THEREOF, the Louisiana State Board of Social Work Examiners has entered into this Consent Agreement and Order and executed same at Baton Rouge, Louisiana on this, the 26<sup>th</sup> day of August, 2011.

  
John McBride, LCSW

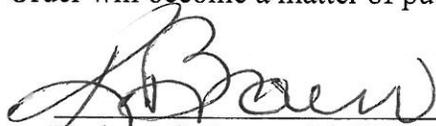
  
Michael Hickerson, RSW

  
Hope Himel-Benson, LCSW

  
Evelyn Jenkins, LCSW

  
Lisa Lipsey, LCSW

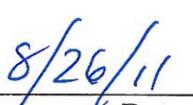
I, Kathryn C. Brown, LMSW, make these acknowledgments and waivers in support of a final disposition of the pending investigation of Complaint No. 2011-47 by Consent Agreement and Order (Order) pursuant to La. R.S. 49:955(D), in lieu of the institution and prosecution of formal administrative proceedings, 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 Michael Hickerson, RSW, 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 Michael Hickerson, RSW, or his 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.

  
Kathryn C. Brown, 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, Kathryn C. Brown, LMSW, could be charged under Complaint No. 2011-47; 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