

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

IN THE MATTER OF

LABSWE COMPLAINT

JOHN A. LOVERN

NUMBER 2010-108

LICENSE NO. 3267

CONSENT AGREEMENT AND ORDER

WHEREAS, John Lovern 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, John Lovern, 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, John Lovern, has admitted the following:

1. Respondent, John A. Lovern, ("Mr. Lovern") is a Licensed Clinical Social Worker (L.C.S.W.) 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. 3267.
2. On a renewal application, Mr. Lovern has failed to disclose participation in an alcohol or drug treatment or rehabilitation program in which he was monitored or supervised relative to the use of drugs or alcohol, and failed to provide a notarized detailed explanation of his treatment.

3. Mr. Lovern certified to the Board that the statements provided in his renewal application were true and correct.
4. Mr. Lovern failed to cooperate with the Complaint Investigation Officer for the Board, failing to return phone calls and missing scheduled appointments.
5. Mr. Lovern admits his history of addiction to intoxicating beverages has affected his professional competence, including an incident which led to a guilty plea of unauthorized use of a motor vehicle in August 2010.

WHEREAS, the use of intoxicating beverages to an extent which affects the social worker's professional competence is cause for disciplinary action by the Board pursuant to La. R.S. 37:2717(A)(2) and La. R.S. 37:2717(A)(11);

WHEREAS, by failing to disclose participation in alcohol or drug treatment or a rehabilitation program in which he was monitored or supervised relative to the use of drugs or alcohol, and providing no detailed explanation of his treatment when renewing his license, Mr. Lovern has failed to maintain good moral character, as required by La. R.S. 37:2717(A)(12); has failed to accurately complete and submit forms requested by the Board, such conduct which is a violation of Rule 111(G)(5) and pursuant to La. R.S. 37:2717(A)(5) is cause for discipline; and provided false sworn information to the Board, such conduct which is a cause for disciplinary action pursuant to La. R.S. 37:2717(A)(9);

WHEREAS, by refusing to return calls or meet with the Board's Complaint Investigation Officer, Mr. Lovern has failed to cooperate with a social work board investigation, as required by Rule 117(C) of the Rules, Standards and Procedures for Louisiana Social Workers. Such conduct constitutes a violation of an order, rule, or

regulation adopted by the Board, which is cause for disciplinary action by the Board, as established by La. R.S. 37:2717(A)(5).

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;

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

1. Mr. Lovern's credential shall be revoked for a period of two years.
2. After the two year revocation period, Mr. Lovern may re-apply for licensure provided he has met all the terms of probation imposed as a result of the August 2010 conviction.
3. If, at the end of the two year period, Mr. Lovern 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.¹

¹ Please note that should Mr. Lovern wish to apply for any other type of licensure by the Board, i.e., L.M.S.W., he must meet any requirements that a new applicant seeking that credential would have to meet.

4. Mr. Lovern shall be evaluated by the Louisiana State Board of Social Work Examiners' Impaired Professional Program (IPP), at his expense, within thirty (30) days from re-applying for licensure and follow all recommendations of the designated IPP evaluator in a timely manner.
5. Upon re-entering the workforce and once again practicing social work, Mr. Lovern shall complete one (1) hour of supervision of his social work practice every other week for a period of twelve (12) months by a L.C.S.W. pre-approved by the Board. Mr. Lovern 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. Lovern 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. Lovern 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. Lovern to become relicensed as a L.C.S.W. to practice social work.**
6. Mr. Lovern shall pay the investigative and legal costs associated with Complaint 2010-108 in the amount of \$2,208.00 within sixty (60) days that licensee reapplies for licensure. There shall be no pre-payment penalty.
7. Mr. Lovern 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.

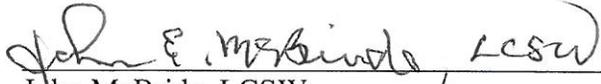
8. By agreeing to the terms of this Consent Agreement and Order, Mr. Lovern waives all rights to appeal this adjudication.

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.

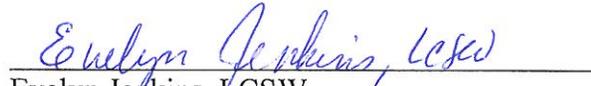
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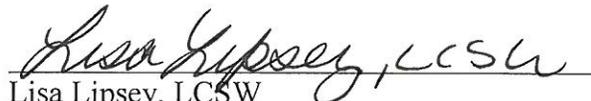
IN WITNESS THEREOF, the Louisiana State Board of Social Work Examiners has entered into this Consent Agreement and Order and executed same at Baton Rouge, Louisiana on this, the 26th day of August, 2011.


John McBride, LCSW


Michael Hickerson, RSW


Hope Himel-Benson, LCSW


Evelyn Jenkins, LCSW


Lisa Lipsey, LCSW

I, John Lovern, LCSW, make these acknowledgments and waivers in support of a final disposition of the pending investigation of Complaint #2010-108 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 Naaman Stewart, LMSW, 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 Naaman Stewart, LMSW 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.

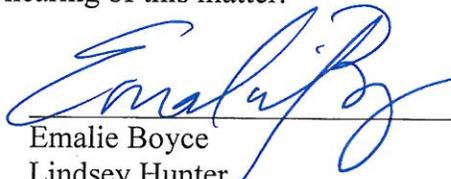


John Lovern, LCSW

6-14-11

Date

I, Emalie Boyce or Lindsey Hunter, 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, John Lovern, LCSW, could be charged under Complaint No. 2010-108; 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
Lindsey Hunter
Prosecutor

8/26/11

Date