

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

IN THE MATTER OF

COMPLAINT NUMBER 2012-159

REBECCA ROSENTHAL

LICENSE NO. 8113

CONSENT AGREEMENT AND ORDER

WHEREAS, Rebecca Rosenthal, (“Ms. Rosenthal”) 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, Ms. Rosenthal 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, Ms. Rosenthal, has admitted the following:

1. Ms. Rosenthal is, and at all times pertinent to the facts and matters alleged herein, a Licensed Clinical Social Worker (“LCSW”), licensed 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. 8113.
2. At the time of the facts and matters alleged herein, Ms. Rosenthal was employed by the United States Department of Veterans Affairs in Hammond, Louisiana as a social worker.

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ATTORNEY GENERAL

3. On June 27, 2012, Ms. Rosenthal reported to work under the influence of an intoxicating substance.
4. On July 3, 2012, Ms. Rosenthal submitted her application for licensure renewal and responded “no” to the question “[h]ave you within the past year or are you currently using drugs, chemical substances (including controlled substances obtained either with or without a valid prescription), or intoxicating liquors to an extent that it impairs your functioning as a social worker or the delivery of social work services?”

WHEREAS, by reporting to work under the influence of an intoxicating substance, Ms. Rosenthal has violated Rule 117(A), prohibiting a social worker from practicing while impaired by medication, alcohol, drugs, or other chemicals, which is cause for the Board to take disciplinary action pursuant to La. R.S. 37:2717(A)(5).

WHEREAS, by answering “no” to the question “[h]ave you within the past year or are you currently using drugs, chemical substances (including controlled substances obtained either with or without a valid prescription), or intoxicating liquors to an extent that it impairs your functioning as a social worker or the delivery of social work services?” Ms. Rosenthal has obtained her license renewal by fraud or deception which is which is cause for the Board to take disciplinary action pursuant to La. R.S. 37:2717(A)(3).

WHEREAS, Ms. Rosenthal 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. Rosenthal accepts the following administrative action which is a final decision pursuant to La. R.S. 49:958:

1. Ms. Rosenthal shall be evaluated by the Impaired Professional Program ("IPP") within thirty (30) days of all parties signing this Consent Agreement and Order and shall follow any recommendations of the evaluator. Should the evaluator determine that it is necessary for Ms. Rosenthal to enter into the IPP, Ms. Rosenthal will be required to enter into a Participation Agreement tailored to address specific issues identified by the evaluation.
2. Ms. Rosenthal shall pay the legal and investigative costs associated with Complaint 2012-159 in the amount of \$915.22 within one (1) year from the date all parties sign this Consent Agreement and Order. The payments shall be made on a quarterly basis with the first payment due within ninety (90) days from the date all parties sign this Consent Agreement and Order. There shall be no pre-payment penalty.

Waiver of Rights. Licensee is aware that she has the right to consult with an attorney of her choice and understands she has the right to an administrative hearing on the facts in this case. She understands and agrees that by signing this Agreement, she is waiving her rights to a hearing. Further, she understands and agrees that she is relieving the prosecutor of any burden it has of proving the facts admitted above. Licensee further understands and agrees that by signing this Agreement she is voluntarily and knowingly giving up her right to present oral and documentary evidence, to present rebuttal evidence, to cross-examine witnesses against her, and to appeal the Board's decision.

Effect of Non Acceptance of Agreement. Licensee and the prosecutor agree that this Consent Agreement and Order is subject to the approval of the Board. They agree that, if the Board rejects this agreement, it will be void, and an Administrative Complaint may be filed. If this agreement is rejected by the Board it will not constitute a waiver of licensee's right to a hearing on the matters alleged in an administrative complaint and the admissions contained herein will have no effect. Licensee agrees that, if the Board rejects this agreement, the Board may decide the matter after a hearing, and its consideration of this agreement shall not alone be grounds for claiming that the Board is biased against him/her, that it cannot fairly decide the case, or that it has received ex parte communication.

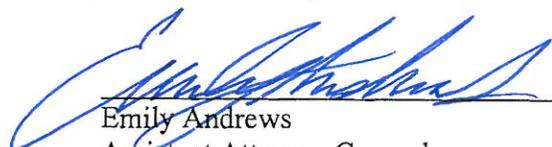
Address of Board. All payments ordered and any reports required by this Consent Agreement and Order shall be addressed to: Louisiana State Board of Social Work Examiners, 18550 Highland Road, Suite B, Baton Rouge, Louisiana 70809.

IT IS HEREBY FURTHER ORDERED that this Consent Agreement and Order shall take effect immediately upon its adoption by the Board and is a public record

of the Board. 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 prosecutor acknowledges negotiation and preparation of this Consent Agreement and Order in order to resolve, with prejudice, all matters for which the social worker could be charged under Complaint 2012-159, and further certifies 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.

DATED: 6/5/13

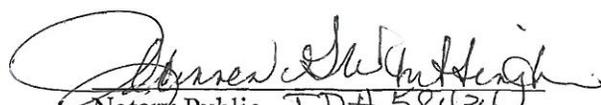

Emily Andrews
Assistant Attorney General
Prosecutor

I, Rebecca Rosenthal, have read the Consent Agreement and Order, understand it, and agree to be bound by its terms and conditions. I specifically acknowledge that failure to comply with the terms of the Consent Agreement and Order may result in further revocation or suspension of my 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.

DATED: 5-21-2013


Rebecca Rosenthal

SUBSCRIBED AND SWORN TO before me this 21 day or March, 2013, at Ponchartraine, Louisiana.


Notary Public JDA 58434J
Print Name: JEANNEN G. WHITTINGTON
My commission expires: lye

ORDER

The Louisiana State Board of Social Work Examiners, having examined the Consent Agreement and Order, Case No. 2012-159, adopted the Consent Agreement and Order in this matter.

DATED this 14th day of June, 2013 in Baton Rouge, Louisiana.

LOUISIANA STATE BOARD OF SOCIAL WORK
EXAMINERS

Judith Haspel, LCSW
Judith Haspel, LCSW

Michael Hickerson, RSW

Lisa Lipsey, LCSW
Lisa Lipsey, LCSW

John E. McBride, LCSW
John McBride, LCSW

Carla Moore, LMSW
Carla Moore, LMSW

Parker Sternbergh, LCSW
Parker Sternbergh, LCSW