

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

**IN THE MATTER OF
DONNA HULSEY
LICENSE NO. 7326**

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND SANCTIONS
NUMBER 2012-112**

This matter came before the Louisiana State Board of Social Work Examiners (“Board”) on June 14, 2013 for an administrative hearing. Board members, John McBride, LCSW, Lisa Lipsey, LCSW, Judith Haspel, LCSW, Carla Moore, LMSW, and Parker Sternbergh, LCSW, served on the hearing panel. Emily Andrews, Assistant Attorney General, prosecuted the case on behalf of the state. George Papale, legal counsel for the Board served as the Hearing Officer.

Complaint History

The administrative complaint in this case originated with a complaint filed against Donna Hulsey, LCSW, by Will Rachal, Director of Juvenile Drug Court, in Slidell, Louisiana. The complaint was referred for investigation and the results of the investigation were forwarded to the Attorney General’s office. The administrative complaint alleges that Donna Hulsey is, and at all times pertinent to the facts and matters alleged herein, a Licensed Clinical Social Worker, 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. 7326. That Ms. Hulsey was an employee of the Youth Services Bureau from on or about February 17, 2010 until February 15, 2012. On January 17, 2012, Ms. Hulsey had been scheduled to provide two hours of group treatment for the City Court Juvenile Drug Court clients. Ms. Hulsey did not

provide the youths with two hours of group treatment services, and allowed the youths to sign in and out to indicate that the individuals had received two hours of group treatment services. Ms. Hulsey submitted timesheets falsely indicating that two hours of treatment had been provided to the eleven individuals in question. Ms. Hulsey was terminated from her position with Youth Services Bureau.

Notice of Hearing

Donna Hulsey was sent a notice of hearing, as well as the final Administrative Complaint, by certified mail on March 26, 2013. The notice advised that the hearing would be conducted on Friday, June 14, 2013 and that she should appear at the board office at 8:30 a.m. The return receipt was returned to the board office documenting that the notice of hearing and final Administrative Complaint was received. In response to the notice of hearing, Donna Hulsey submitted a letter dated April 15, 2013 in which she advised the board that she is relinquishing her license, as well as her opportunity to appear before the board on June 14, 2013. Ms. Hulsey returned her license identification card with this correspondence.

Authority for Adjudication by Default

At the time the case was called, Respondent, Donna Hulsey was not present. The Louisiana Administrative Procedure Act (LAPA) allows for the disposition of an Administrative Complaint by default under LA R. S. 49:955 (D) unless such action is “precluded by law”. No other provision of LAPA or the Social Work Practice Act precludes the adjudication of the captioned complaint by default. Emily Andrews called Emily Efferson, Administrator, to the stand. Emily Andrews presented Ms. Efferson with a copy of the complaint filed by Will Rachal against Donna Hulsey, which was introduced to the Board as Exhibit E. Ms. Efferson testified

that the complaint was investigated and the investigation found that Donna Hulsey did not provide two hours of therapy to juveniles, but that she submitted time sheets stating that she provided those hours. She further testified that the juveniles were required to sign time sheets to indicate they received two hours of service by Ms. Hulsey on January 17, 2012. Ms. Andrews also introduced Exhibit F, a letter from Ila Dieterich, President and CEO of Youth Service Bureau, as part of Ms. Efferson's testimony. A portion of the letter from Ms. Dieterich was read into the record as follows, "On January 17, 2012 Ms. Hulsey did not hold a scheduled two-hour treatment group for adolescent clients of the City Court of Slidell's Juvenile Drug Court, yet she signed off on paperwork for each of eleven clients that stated these clients attended two hours of Phase 2 treatment group and submitted that paperwork as documentation to the court." Next, Ms. Andrews asked Ms. Efferson to read into the record the letter dated April 15, 2013 from Ms. Hulsey, introduced as Exhibit D, in which she is relinquishing her license and right to a hearing. Ms. Andrews also requested that Ms. Efferson identify for the record Exhibit A, Exhibit B and Exhibit C, which are the notice of hearing, the final Administrative Complaint, and the return receipt documenting the notice and Administrative Complaint were received, respectively. Lastly, Ms. Andrews introduced Exhibit G which was Consent Agreement and Order #2008-224, and had Ms. Efferson read into the record that in that Order Ms. Hulsey was found to be in violation of Rule 121(B), Rule 111(G)(1), Rule 111(G)(5), and Rule 117(D).

The Board, satisfied that the requirements for due process of law had been met, the Board accepted the testimony and exhibits in the absence of the Respondent.

The Hearing

Emily Andrews, Assistant Attorney General, put on her prima facie case through the exhibits submitted and the undisputed testimony of Emily Efferson, Administrator, that Donna Hulsey's conduct constitutes practicing in a manner detrimental, or potentially detrimental, to the client by act or omission, which is either the result of a deliberate or intentional conduct or negligent conduct prohibited by R.S. 37:2717(A). Ms. Andrews advised the hearing panel that the Attorney General's office believes Donna Hulsey's conduct of instructing juveniles to sign in and out to indicate that they received two hours of group treatment services when they had not receive any services from her and the act of signing false time sheets to indicate she had provided treatment constitutes failure to make reasonable efforts to advance the welfare and best interest of clients; is a misrepresentation by signature the extent of her participation in the provision of services; is a collusion with another person to misrepresent the extent of her services; and is a violation of the requirement that social workers are to accurately complete and submit forms. Ms. Andrews concluded that because Ms. Hulsey was previously disciplined for similar conduct the Board may consider additional disciplinary action pursuant to R.S. 37:2717(A)(4).

Findings of Fact

1. Donna Hulsey is a Licensed Clinical Social Worker, 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. 7326.

2. That Ms. Hulsey was an employee of the Youth Services Bureau from on or about February 17, 2010 until February 15, 2012.
3. On January 17, 2012, Ms. Hulsey had been scheduled to provide two hours of group treatment for the City Court Juvenile Drug Court clients.
4. Ms. Hulsey did not provide the youths with two hours of group treatment services, and allowed the youths to sign in and out to indicate that the individuals had received two hours of group treatment services.
5. Ms. Hulsey submitted timesheets falsely indicating that two hours of treatment had been provided to the eleven individuals in question.
6. Ms. Hulsey was terminated from her position with Youth Services Bureau.

Conclusions of Law

By failing to provide the group social work treatment services to which the clients were entitled, Ms. Hulsey practiced in a manner detrimental or potentially detrimental to clients by act or omission in violation of LA R.S. 37:2717(A)(7).

By allowing eleven juvenile clients to sign records indicating that they had received social work services from the Respondent which had not been provided and by Ms. Hulsey signing and submitting timesheets indicating that she had, in fact, provided social work services to the juveniles, Ms. Hulsey violated Rule 107(B) which requires that a social worker advance the welfare and best interest of the clients; violated Rule 111(G)(2) which prohibits a social worker from misrepresenting by signature the extent of his or her participation in the provision of services; violated Rule 111(G)(3) which prohibits a social worker from conspiring or colluding with another person to misrepresent by signature the extent of social worker services provided

and violated Rule 111(G)(5) which requires a social worker to accurately complete and submit forms regarding services provided; and by virtue of all of the aforesaid Rule violations, Ms. Hulseley has violated LA R.S. 37:2717(A)(5).

Sanctions

It is ordered that:

1. Donna Hulseley's license is revoked for two years from the date this decision is issued.
2. Ms. Hulseley shall return all wall certificates issued by the Louisiana State Board of Social Work Examiners within 30 days of the date this decision is issued.
3. Ms. Hulseley may reapply for a social work credential in two years from the date this decision is issued. She shall be required to meet all requirements of a new applicant.
4. Ms. Hulseley shall pay the costs associated with this adjudication in the amount of \$1,599.96 within one year from the date of this decision.

August 14, 2013
Date



Lisa L. Lipsey, LCSW
Chairperson