

**LOUISIANA STATE BOARD OF  
SOCIAL WORK EXAMINERS**

**IN THE MATTER OF**

**COMPLAINT NUMBER 2014-36**

**KIMBERLY PINTADO**

**LICENSE NO. 10999**

**CONSENT AGREEMENT AND ORDER**

**WHEREAS**, Kimberly Pintado, (“Ms. Pintado”) 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. Pintado 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. Pintado, has admitted the following:

1. Ms. Pintado is, and at all times pertinent to the facts and matters alleged herein, a Licensed Masters Social Worker (“LMSW”), 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. 10999.
2. At the time of the facts and matters alleged herein, Ms. Pintado was engaged in the practice of social work through her employment at the O’Brien House.
3. In September 2011, Ms. Pintado began a relationship with a client C.Y.

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Initial: 

4. Ms. Pintado continued her relationship with C.Y. after the client graduated from O'Brien House on October 29, 2011.
5. Ms. Pintado became pregnant in October 2011 and the child was born in June 2012.
6. The father of Ms. Pintado's child is C.Y.

**WHEREAS**, by engaging in a prohibited personal relationship with a client, Ms. Pintado has violated Rule 113(A) of the Board's Rules, Standards and Procedures which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(5);

**WHEREAS**, by engaging in a sexual relationship with a client, Ms. Pintado has violated Rule 113(B)(3) of the Board's Rules, Standards and Procedures which is cause for the Board to take disciplinary action pursuant to La. R.S. 37:2717(A)(5);

**WHEREAS**, by engaging in a personal relationship and sexual relationship with a client, Ms. Pintado has engaged in unprofessional or unethical conduct as defined in the rules and regulations adopted by the Board, such action which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(11);

**WHEREAS**, by engaging in a personal and sexual relationship with a client, Ms. Pintado has engaged in conduct which demonstrates she has failed to maintain the qualification of good moral character, which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(12).

**WHEREAS**, Ms. Pintado has indicated her desire to resolve this matter through a Consent Agreement and Order;

**WHEREAS**, the undersigned Assistant Attorney General has confirmed the respondent's 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. Pintado accepts the following administrative action which is a final decision pursuant to La. R.S. 49:958:

1. Ms. Pintado's credential shall be revoked for a period of five years.
2. If, at the end of the five year revocation period, Ms. Pintado wishes to apply for her LMSW, she shall be required to meet any requirements a new applicant would have to meet for becoming a LMSW, as described in the Louisiana Social Work Practice Act and the Rules, Standards and Procedures.<sup>1</sup> In the event of reinstatement, the Board reserves the right, in its sole and absolute discretion, to place conditions on the Ms. Pintado's practice.
3. Upon re-entering the workforce and once again practicing social work, Ms. Pintado shall complete one (1) hour of supervision of her social work practice every other week for a period of twenty-four (24) months by a LCSW-BACS pre-approved by the Board. Ms. Pintado 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, nor previously has been, professionally or personally affiliated with Ms. Pintado prior to this request for supervision. The supervisor shall submit

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<sup>1</sup> Please note that should Ms. Pintado wish to apply for any other type of licensure by the Board, i.e., RSW, she must meet any requirements that a new applicant seeking that credential would have to meet.

quarterly supervision reports to the Board documenting dates met for supervision, topics addressed and progress made in supervision. Ms. Pintado is responsible for all costs associated with supervision.

4. Ms. Pintado shall pass the Board's Open Book Examination on the Social Work Practice Act and Rules, Standards & Procedures within ninety (90) days of applying for her license.
5. Ms. Pintado shall pay a fine for the above-referenced violations in the amount of one thousand dollars (\$1,000) prior to reapplication for a social work credential. Such fine is authorized by La. R.S. 37:2717(B)(5). Installment payments by certified check, money order or credit card are allowable. There shall be no pre-payment penalty.
6. Ms. Pintado shall pay the legal costs associated with Complaint 2014-36 in the amount of two hundred and sixty two dollars and 50/100 (\$262.50) prior to reapplication for a social work credential. 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 2014-36, 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: 11-1-13



Emalie Boyce  
Assistant Attorney General  
Prosecutor

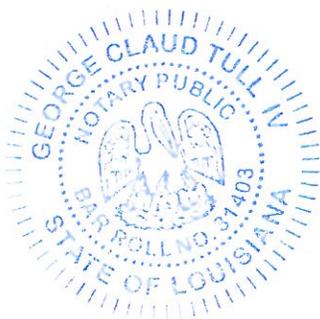
I, Kimberly Pintado, have read the Consent Agreement and Order, understand it, and agree to be bound by its terms and conditions. I specifically acknowledge that failure to comply with the terms of the Consent Agreement and Order may result in further revocation or suspension of my license. The admissions contained herein will be considered proven and the only issue will be failure to follow the terms of the Consent Agreement and Order.

DATED: 10-9-2013



Kimberly Pintado, LMSW

SUBSCRIBED AND SWORN TO before me this 10 day or  
October, 2013, at Baton Rouge, Louisiana.



Notary Public  
Print Name: George Claud Tull IV  
My commission expires: At Death

**ORDER**

The Louisiana State Board of Social Work Examiners, having examined the Consent Agreement and Order, Case No. 2014-36, adopted the Consent Agreement and Order in this matter.

DATED this 1<sup>th</sup> day of November, 2013 in Baton Rouge, Louisiana.

LOUISIANA STATE BOARD OF SOCIAL WORK  
EXAMINERS

Judith Haspel, LCSW  
Judith Haspel, LCSW

Lisa Lipsey, LCSW  
Lisa Lipsey, LCSW

John E. McBride, LCSW  
John McBride, LCSW

Carla H. Moore, LMSW  
Carla Moore, LMSW

Robert Showers, RSW  
Robert Showers, RSW

Parker Sternbergh, LCSW  
Parker Sternbergh, LCSW