

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

IN THE MATTER OF

COMPLAINT NUMBER 2014-104

JODY T. HARRIS

LICENSE NO. 12132

CONSENT AGREEMENT AND ORDER

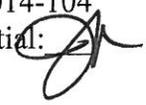
WHEREAS, Jody Harris, (“Ms. Harris”) is a credentialed social worker subject to the jurisdiction and rules and regulations of the Louisiana State Board of Social Work Examiners (the “Board”); and

WHEREAS, pursuant to a complaint and an administrative investigation, Ms. Harris 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. Harris, has admitted the following:

1. Ms. Harris is 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. 12132.
2. On or about February 13, 2013, Ms. Harris signed a Participation Agreement (“Agreement”) with the Board’s Impaired Professional Program (“IPP”).

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Initial: 

3. Ms. Harris initialed Item Five (5) of the Agreement, which reads:
“Participant agrees that functional impairment involving excessive or habitual use of alcohol and/or mood-altering drugs requires complete and timely compliance with random drug and/or alcohol screening and the monitoring thereof at such intervals and for such term (up to 5 years) as specified by the Board or IPP Manager.”
4. Ms. Harris initialed Item Six (6) of the Agreement, which reads:
“Participant agrees to totally abstain from all mood altering drugs or substances unless appropriately prescribed by a licensed physician or dentist treating an illness or condition requiring such medication(s). Participant agrees to immediately notify the IPP Manager in the event that Participant receives a prescription for any mood altering medication from a physician, dentist, or other health care provider. Participant further agrees to provide the IPP Manager with a current list of all prescribed medications, dosages and prescribing physicians, dentists or other health care providers and to notify the IPP Manager of any changes.”
5. Ms. Harris initialed Item Three (3) of Other Specific Conditions for Participation in the Agreement, which reads: “Participant will call in daily to designated screening facility for random screenings.”
6. In item Fourteen (14) of the Agreement, Ms. Harris agreed that full compliance with the terms and conditions of the Agreement is a prerequisite of her continued social work practice. Further, in this item, Ms. Harris agrees that any failure to comply can form the basis of

disciplinary action by the Board, which includes suspension or revocation of her license, or other action deemed appropriate by the Board.

7. In item Fifteen (15) of the Agreement, Ms. Harris acknowledges and agrees that the practice of social work by an impaired social worker poses a serious threat to the public health, safety and welfare. Further, Ms. Harris specifically agrees that non-compliance relative to impairment, namely, participant's submission of a specimen or sample for a substance abuse testing or screening which results in a report of the test or screen showing dilution or adulteration of the specimen or sample, and receipt by the Board of a positive, unexplained substance abuse/drug screen report, during the monitoring period warrants immediate action to enable the Board to protect the public.
8. According to Kathie Pohlman, IPP Manager, Ms. Harris had abnormal Urine Drug Screens ("UDS") occurring on 02/25/13, 04/12/13, 05/01/13, 05/14/13, and 10/10/13; one dilute UDS on 05/21/13; and a missed screen on 03/29/13, which was excused by the previous IPP Manager.
9. Ms. Pohlman reported that Ms. Harris missed check-ins on 11/30/13 and 12/01/13. Ms. Pohlman also reported that a PEth test taken by Ms. Harris on or about 12/05/13 had positive results.
10. Ms. Pohlman learned of substance abuse treatment received by Ms. Harris in 1992, 2003 and 2008 which was not reported to the Board on Ms. Harris' licensure application.
11. Such information is required to be disclosed on a licensure application.

12. Ms. Harris indicated, by letter dated March 19, 2014, that she wishes to surrender her license.
13. Ms. Harris understands that the effect of a license surrender is the same as a revocation.

WHEREAS, by failing to comply with all conditions of the Agreement, Ms. Harris has violated an order of the Board, such action which is cause for discipline pursuant to La. R.S. 37:2717(A)(5).

WHEREAS, by failing to comply with all conditions of the Agreement, such non-compliance, which is specifically acknowledged by Ms. Harris as posing a serious threat to the public health, safety and welfare and warranting immediate action to enable the Board to protect the public, Ms. Harris' continued ability to practice is potentially detrimental to the client, which is cause for discipline pursuant to La. R.S. 37:2717(A)(7).

WHEREAS, by failing to disclose required information to the Board on a renewal application, Ms. Harris has obtained a registration by fraud or deception, which is cause for discipline pursuant to La. R.S. 37:2717(A)(3)

WHEREAS, Ms. Harris 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.

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

1. Ms. Harris agrees to voluntarily surrender her license and right to practice for a period of one (1) year. After this time period has elapsed, on or after May 23, 2015, Ms. Harris can reapply for licensure, meeting any requirements that a new applicant would have to meet in order to become licensed. Should Ms. Harris apply for licensure from the Board at a future time, Ms. ~~Watson~~ ^{Harris} acknowledges that the Board may require participation in the IPP and that the IPP Manager will have the opportunity to review her application and request the Board impose specific conditions before granting a license, such as obtaining an evaluation from an individual approved by the IPP Manager that Ms. Harris is fit to practice social work.
2. As authorized by La. R.S. 37:2717(B)(5), Ms. Harris shall pay a fine in the amount of FIVE HUNDRED DOLLARS (\$500) within three (3) months from the day all parties sign this Consent Agreement and Order.
3. Ms. Harris shall pay all legal costs associated with Complaint No. 2014-140 in the amount of SIX HUNDRED AND THIRTY SEVEN DOLLARS AND 50/100 (\$637.50) 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.
4. Ms. Harris specifically acknowledges that failure to comply with the terms of this Consent Agreement and Order, and any Participation Agreement entered into as a

consequence of this Consent Agreement and Order, may result in a denial, revocation, or suspension of any license, certificate, or registration issued by, or applied for, in accordance with La. R.S. 37:2717.

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).

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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 2014-140, 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: 5/23/14

Em Boyce
Emalie Boyce
Assistant Attorney General
Prosecutor

I, Jody Harris, 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 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: 04-30-2014

Jody Harris
Jody Harris, LMSW

SUBSCRIBED AND SWORN TO before me this 30th day or April, 2014, at Lafayette, Louisiana.

Dallas Fleming
Notary Public
Print Name: Dallas Fleming 38693
My commission expires: Death



ORDER

The Louisiana State Board of Social Work Examiners, having examined the Consent Agreement and Order, Case No. 2014-140¹⁰⁴, adopted the Consent Agreement and Order in this matter.

DATED this 23rd day of May, 2014 in Baton Rouge, Louisiana.

LOUISIANA STATE BOARD OF SOCIAL WORK
EXAMINERS

Judith Haspel, LCSW
Judith Haspel, LCSW

Lisa Lipsey, LCSW

Carla H. Moore, LMSW
Carla Moore, LMSW

Robert Showers, RSW
Robert Showers, RSW

Parker Sternbergh, LCSW
Parker Sternbergh, LCSW