

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

IN THE MATTER OF

COMPLAINT NUMBER 2014-38

ELISSA MILLMAN

LICENSE NO. 4144

CONSENT AGREEMENT AND ORDER

WHEREAS, Elissa Millman, (“Ms. Millman”) 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. Millman 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. Millman, has admitted the following:

1. Ms. Millman is, and at all times pertinent to the facts and matters alleged herein, a Licensed Clinical Social Worker, Board Approved Clinical Supervisor (“LCSW-BACS”), 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. 4144.
2. Ms. Millman provided services to a sixteen year old client in April 2013.
3. On August 13, 2013, Ms. Millman was awarded legal guardianship over the client.

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Initial:

4. Such guardianship was rescinded, at the request of Ms. Millman, on August 23, 2013.
5. Despite the fact that the guardianship was rescinded upon the discovery that such actions raise potential rule violations, the fact that Ms. Millman petitioned for guardianship of a current client creates dual relationship concerns.

WHEREAS, petitioning for guardianship over a current client is a violation of Rule 113(B). Failure to comply with this rule is cause for disciplinary action by the Board, as established by La. R.S. 37:2717(A)(5).

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

1. Ms. Millman shall complete a total of three (3) hours of continuing education units in the subject of dual relationships. This continuing education is in addition to the annual hours of continuing education required to maintain her LCSW-

- BACS. Ms. Millman shall provide the Board with evidence of attendance within six (6) months after all parties sign this Consent Agreement and Order.
2. Ms. Millman shall receive nine (9) hours of consultation, at her expense, within six (6) months from the date all parties sign this Consent Agreement and Order by a LCSW-BACS pre-approved by the Board. The consultation should specifically address establishing appropriate boundaries with clients and dual relationships. The consultant shall submit a letter to the Board after this requirement is met, such letter documenting dates met and topics addressed at the consultation. Ms. Millman shall submit to the Board the name of the potential consultant and his or her resume within fifteen (15) days of all parties signing this Consent Agreement and Order. The potential consultant shall submit a letter to the Board stating his/her acceptance of the provision of said consultation and confirming that there is no current or previous affiliation with Ms. Millman prior to the request for consultation.
 3. Ms. Millman shall pay the legal and investigative costs associated with Complaint 2014-38 in the amount of FIVE HUNDRED SIXTY FOUR DOLLARS AND 27/100 (\$564.27) within six months 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. Millman specifically acknowledges that failure to comply with the terms 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.

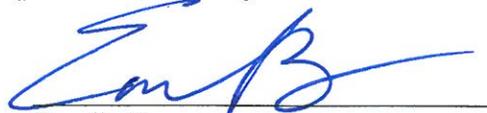
Effect of Non Acceptance of Agreement. Licensee and the prosecutor agree that this Consent Agreement and Order is subject to the approval of the Board. They agree that, if the Board rejects this agreement, it will be void, and an Administrative Complaint may be filed. If this agreement is rejected by 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).

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 2014-38, 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: 7-31-14



Emalie Boyce
Assistant Attorney General
Prosecutor

I, Elissa Millman, LCSW-BACS, 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: 7-21-14



Elissa Millman, LCSW-BACS

SUBSCRIBED AND SWORN TO before me this 21st day or
July, 2014, at New Orleans, Louisiana.



Notary Public
Print Name:
My commission expires:

DEBORAH M. HENSON
NOTARY PUBLIC ID# 90299
PARISH OF ORLEANS
STATE OF LOUISIANA
MY COMMISSION IS ISSUED FOR LIFE

ORDER

The Louisiana State Board of Social Work Examiners, having examined the Consent Agreement and Order, Case No. 2014-38, adopted the Consent Agreement and Order in this matter.

DATED this 1st day of August, 2014 in Baton Rouge, Louisiana.

LOUISIANA STATE BOARD OF SOCIAL WORK
EXAMINERS

Judith Haspel, LCSW
Judith Haspel, LCSW

Lisa Lipsey, LCSW
Lisa Lipsey, LCSW

Carla Moore, LMSW
Carla Moore, LMSW

Marguerite (Peggy) Salley, LCSW
Marguerite "Peggy" Salley, LCSW

Robert Showers, RSW
Robert Showers, RSW

Parker Sternbergh, LCSW
Parker Sternbergh, LCSW

