

**LOUISIANA STATE BOARD OF  
SOCIAL WORK EXAMINERS**

**IN THE MATTER OF  
LAURA BENNETT  
LICENSE NO. 11936**

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND SANCTIONS  
NUMBER 2014-42**

This matter came before the Louisiana State Board of Social Work Examiners (“Board”) on September 5, 2014 for a hearing on an Administrative Complaint filed with the Board by Emalie Boyce, Assistant Attorney General. Board members, Marguerite “Peggy” Salley, LCSW, Robert Showers, RSW, Judith Haspel, LCSW, Carla Moore, LMSW, and Parker Sternbergh, LCSW, served on the hearing panel. George M. Papale served the hearing panel as the Board’s Independent Legal Counsel.

**Complaint History and Pre-hearing Issues**

This matter originated on August 20, 2013, with an inquiry made by Patricia Taylor with West Jefferson Healthcare Center, in which she asked how Laura Bennett was able to receive registration as a Registered Social Worker because she is on the DHH Exclusion List. After receiving this inquiry, the Board voted to open a complaint file and proceed with an investigation.

During the investigation of the complaint, the Board’s Administrator, Emily Efferson, found that the Office of the Inspector General’s website lists Laura Bennett as having been excluded on April 19, 2007, for “1128(b)(4) License revocation/suspension/surrender”. Ms. Efferson reviewed the application submitted by Laura Bennett on July 2, 2012, for Registered Social Work registration and found that Ms. Bennett responded “no” to the question, “Have you ever had any professional license revoked, suspended, or placed on probation by any state?” Ms. Bennett was sent a certified letter on October 1, 2013, to the address listed for her in the

board's database, requesting a response to the information supplied by Patricia Taylor. The certified letter was returned to the board office by the post office in January 2014, with a notation of a new address for Laura Bennett. The request for a written response was then sent to Ms. Bennett by certified mail at the address provided by the post office on April 9, 2014. The return receipt documents that the request for a written response was received by Ms. Bennett on January 16, 2014; however, a response was not received from Ms. Bennett.

The Board turned the matter over to the Attorney General's office. Emalie Boyce, Assistant Attorney General, prepared a draft administrative complaint which alleged that Ms. Bennett had violated La R.S. 37:2717(A)(3), 2717(A)(5), and Rule 117(C). This draft complaint was served on Ms. Bennett by certified mail, return receipt requested on April 24, 2014. A response from Ms. Bennett to the draft complaint was not received.

Thereafter, the Assistant Attorney General filed the Final Administrative Complaint with the Board and the Board set the matter for hearing at 8:30 a.m. on September 5, 2014. On July 1, 2014, this Administrative Complaint, along with notice of the administrative hearing, was sent to Ms. Bennett by first class mail, and by certified mail, return receipt. The certified mail was returned to the board office marked "unclaimed"; however, the first class mail was not returned.

The Complaint alleges that Laura Bennett was formerly licensed by the Louisiana State Board of Practical Nurse Examiners (former license number 921510), and that this license was revoked by an order of the Louisiana State Board of Practical Nurse Examiners on March 30, 2006. The Respondent violated provisions of the Social Work Practice Act by responding "no" to the question, "Have you ever had any professional license revoked, suspended, or placed on probation by any state?" on her application on July 2, 2012, Laura Bennett has not been honest in the information submitted to the Board in a licensing application. This conduct is cause for the Board to take disciplinary action pursuant to La. R.S. 37:2717(A)(3).

The Complaint also alleges that the Board requested a written response from Laura Bennett to allegations that disciplinary proceedings had been imposed against her when she was licensed by the Louisiana State Board of Practical Nurse Examiners in October, 2013, by certified mail to the address on file with the Board. In January 2014, the Board received a return of the certified letter with a notice from the post office of a change of address. In January 2014, the Board requested a written response from Ms. Bennett by certified mail to the new address provided by the post office. Ms. Bennett signed for the second mailing of the letter on January 16, 2014. The letter requested that Respondent provide a response within 15 days. As of the date the draft administrative complaint was drafted, April 10, 2014, the Board has not received a response from Ms. Bennett. Records reflect that Ms. Bennett received a copy of the draft administrative complaint on April 24, 2014. As of June 2, 2014, the Board still has not received any response from Respondent. Failure to cooperate with a Board investigation is a violation of §117(C), which is cause for the Board to take disciplinary action pursuant to La. R.S. 37:2717(A)(5).

#### **RESPONDENT'S FAILURE TO APPEAR**

At the time the case was called, Respondent, Laura Bennett was not present. Emily Efferson, Administrator, and Emalie Boyce, Assistant Attorney General, advised George Papale and the hearing panel that they had not received contact from Ms. Bennett or an attorney acting on her behalf. Ms. Boyce called Ms. Efferson to the stand to testify to the notice provided to the Respondent. Ms. Efferson testified that the draft administrative complaint was received by Ms. Bennett on April 24, 2014. Ms. Efferson testified that the administrative complaint was sent certified, but was returned "unclaimed" by the post office. Another copy of the administrative complaint was mailed first class on July 30, 2014 to 4910 Murphy Drive, Metairie, Louisiana, 70006. Ms. Efferson confirmed that this is the address that the United States Postal Service provided, and further confirmed that this is the address that the draft administrative complaint

was sent certified and received by Ms. Bennett. The draft administrative complaint and the administrative complaint were entered into evidence through Ms. Efferson's testimony.

### **AUTHORITY FOR ADJUDICATION BY DEFAULT**

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. Furthermore, neither Ms. Bennett nor any attorney acting on her behalf notified the Board of good cause for her absence as required by Rule 941 (B). The Board, satisfied that the requirements for due process of law had been met, allowed the case to proceed in the absence of the Respondent.

### **THE HEARING**

The Assistant Attorney General introduced documents in globo through Emily Efferson's testimony. Exhibit A is the application for Registered Social Work filed by Laura Bennett on July 2, 2012. Ms. Efferson confirmed for the hearing panel that Question 11 which reads, "Have you ever had any professional license revoked or suspended or placed on probation by any state?" was answered "no". Exhibit B is the inquiry, also referred to in these proceedings as a complaint, as to why the board credentialed Laura Bennett when she had to surrender her LPN license. Ms. Efferson testified that after receiving the complaint, the Board voted to request a written response from Ms. Bennett, but that a response was not received. Ms. Efferson also testified that the Board received no communication, such as an e-mail or phone call, from Ms. Bennett.

The Assistant Attorney General introduced a copy of the certified public record, which in accordance with Louisiana Code of Evidence, Article 902 and 904, is deemed authentic evidence, of the decision of the Louisiana State Board Practical Nurse Examiners regarding Laura Bennett's license number 921510. This document was introduced as Exhibit C. Ms.

Boyce explained that a hearing was conducted on December 13, 2005, concerning two deaths that occurred while the patients were under Ms. Bennett's care. The board found Ms. Bennett to be unfit or incompetent and guilty of unprofessional conduct and, thus, the board revoked Ms. Bennett's license.

Because the Respondent elected not to appear for the hearing, the testimony and documents offered by the Assistant Attorney General were admitted into evidence without objection. In this adjudication the Board has required proof by a preponderance of evidence relative to each of the allegations contained in the Administrative Complaint. At the close of the presentation of evidence the Board took the matter under deliberation and, after thorough review of all of the evidence, unanimously made the following Findings of Fact, Conclusions of Law and Sanctions.

#### **FINDINGS OF FACT**

1. Laura Bennett is a Registered Social Worker as evidenced by license number 11936.
2. Laura Bennett did not answer the question on the licensure application, "Have you ever had any professional license revoked or suspended or placed on probation by any state?" truthfully.
3. Laura Bennett did not cooperate with a Board investigation.

#### **CONCLUSIONS OF LAW**

Based on the evidence presented and, in accord with the above-stated Findings of Fact, the Board concludes that Ms. Bennett has obtained a registration by deception in violation of La. R.S. 37:2717(A)(3); and that Ms. Bennett has not cooperated with a social work board investigation in violation of Rule 117(C) and thereby is in violation of La. R.S. 37:2717(A)(5).

#### **SANCTIONS**

The Board determines that **revocation** of license is the appropriate sanction.

It is **ORDERED** that Laura Bennett's social work license #11936 is revoked. Ms. Bennett may reapply for a social work credential not earlier than three (3) years from the date

this Order is signed, and meet all requirements for the credential in which she is applying in accordance with the Louisiana Social Work Practice Act. In addition to meeting the requirements of the social work credential for which she is applying and before her application is approved, Ms. Bennett shall pay the costs of adjudicating this matter in the amount of \$1,353.10. In the event of reinstatement, the Board reserves the right, in its sole and absolute discretion, to place restrictions on licensee's practice of social work.

October 17, 2014  
Date

Judith Haspel, LCSW  
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Chairperson