

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

**IN THE MATTER OF
AKILAH WASHINGTON
REGISTRATION NO. 10884**

**FINDINGS OF FACT, CONCLUSIONS OF
LAW AND SANCTIONS
NUMBER 2014-80**

This matter came before the Louisiana State Board of Social Work Examiners ("Board") on September 25, 2015 and January 15, 2016 for a hearing on Administrative Complaint #2014-80, filed with the Board by Madeline Carbonette, Assistant Attorney General, who conducted the proceedings. Board members, Judith Haspel, LCSW, Yolanda Burnom, LCSW, Carla Moore, LMSW, Robert Showers, RSW, and Paulette Walker, M.ED., Public Member, served on the hearing panel. George M. Papale served as the Hearing Officer.

COMPLAINT HISTORY

Administrative Complaint 2014-80 alleged that Akilah Washington ("Ms. Washington" or "Respondent"), a Registered Social Worker, had worked for Divine Intervention Rehabilitation for approximately three weeks in 2013. According to her employer, she was given notice of multiple concerns regarding her work performance, including her productivity, participation in clinical supervision, and providing access to a work schedule as required by her employer and professional courtesy. Ms. Washington submitted a letter of resignation and her employer notified her of the requirements to return all agency property, including any and all client files. On December 20, 2013, Ms. Washington delivered a clear plastic bag to Divine Rehabilitation Services with shredded documents allegedly soaked with urine and feces.

Based on this alleged conduct the Complaint charged Respondent with violation of Rules 111(G)(1) and 111(G)(6) causes for disciplinary action under La. R.S. 37:2717(A)(5), for failing to maintain proper care over client files and failing to return client files to her employer, which is a violation of La.

R.S. 37:2717(A)(7) because that same conduct was alleged to be detrimental or potentially detrimental to the client, and unethical and unprofessional conduct in violation of La. R.S. 37:2717(A)(4) and (A)(11) for the condition in which the files were allegedly returned.

THE HEARING

The proceedings began on September 25, 2015 with the respondent's attorney, Clarence Roby, Jr. present, but Ms. Washington was unable to appear due to health reasons. Ms. Carbonette called as a witness, Alicia Thibodeaux, Divine Interventions Operations Manager, who testified that Ms. Washington informed her that she shredded the records in question and threatened to return them in a bag with urine. She also testified that Ms. Washington did follow through with her threat and caused a commotion which included profanity in the office when she returned the documents in a bag that smelled of urine and feces. The police were called and arrived after Ms. Washington left. The police then opened the bag. Ms. Carbonette then introduced into evidence Exhibit 3A, an email exchange wherein the defendant said that she shredded some documents. Exhibit 8 was a diagram of the office, and Exhibit 4 was a picture of the large white bag containing the shredded documents. Exhibit 6 was a copy of the company's policy on return of company property.

The next witness was Shermona Dukes, the Executive Director of Divine Intervention, who corroborated much of Ms. Thibodeaux's testimony. She also reported that Ms. Washington had some disciplinary issues including not seeing clients, not getting supervision, not being courteous, and not attending meetings. Upon its return, she did not open the bag containing the documents but waited for the police. Exhibit 5 is a copy of the police report. Exhibit 2 is a copy of the Record of Disciplinary Action, unsigned by Ms. Washington. Exhibit 3B documents an email exchange regarding the necessity of returning records. Exhibit 7 is the complaint filed with the Board against Ms. Washington, and Exhibit 1 documents the Administrative complaint as well as motions to continue. The proceedings were

continued until the date of January 15, 2016, when Ms. Washington did appear. She testified that she did return the files in a condition that was not intact, but denied the inclusion of urine and feces. She also denies angry demeanor and any related unacceptable behavior.

FINDINGS OF FACT

1. Akilah Washington is, and at all times pertinent to the fact and matters alleged herein, a Registered Social Worker ("RSW"), registered by the Board to engage in the practice of social work as evidenced by registration number 10884.
2. At the time of the facts and matters alleged herein, Ms. Washington was engaged in the practice of social work as a Mental Health Professional providing community based mental health services to children through her employment with Divine Intervention Rehabilitation, as evidenced by the testimony of Ms. Thibodaux, Ms. Dukes, and Ms. Washington.
3. Ms. Washington worked for Divine Intervention Rehabilitation for approximately three weeks in 2013, as evidenced by the testimony of Ms. Washington.
4. By letter dated December 16, 2012 (presumably the year is a typographical error), Ms. Washington submitted her resignation to Divine Intervention Rehabilitation Services, as evidenced by the testimony of Ms. Washington and exhibit 2, page 3.
5. Ms. Washington failed to maintain proper care over client files and failed to properly return client files to her employer as required, as evidenced by the testimony of Ms. Thibodaux, Ms. Dukes and the Respondent's own admission.
6. Her failure to return client files to her employer and her actions were detrimental or potentially detrimental to the clients, as evidenced by testimony of Ms. Thibodaux, Ms. Dukes, and Ms. Washington.
7. The Complaint does not allege that Ms. Washington exhibited threatening or disruptive behavior when she returned the records on December 20, 2013; although it alleges the

condition of the records. Although Ms. Washington's conduct on that date became the subject of a misdemeanor investigation for disturbing the peace, the evidence presented to the Board showed that Respondent was not prosecuted and the action was dismissed. Accordingly, the Board further finds that the conflicting evidence relative to Respondent's unethical and unprofessional conduct did not establish the third violation charged in the Complaint by a preponderance of the evidence.

CONCLUSIONS OF LAW

Based on the evidenced presented and, in accord with the above-stated findings of fact, the Board concludes that Ms. Washington is in violation of Rules 111(G)(1) and 111(G)(6) which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(5) and 2717(A)(7).

SANCTIONS

The board determined that the following disciplinary actions be taken:

1. Ms. Washington shall pass the open book examination on the Louisiana Social Work Practice Act and the Rules, Standards and Procedures within 90 days of this decision.
2. Ms. Washington shall complete three (3) hours of continuing education in the area of social work ethics within six (6) months of this decision. These hours are in addition to the 20 hours of continuing education required to renew her credential.
3. Ms. Washington shall pay a fine in the amount of \$125.00 within six (6) months of this decision.
4. Ms. Washington shall pay all costs of adjudicating this matter in the amount of \$4,883.20 within 12 months of this decision. Payments shall be made quarterly. There is no pre-payment penalty.

2-26-16
Date

Judith Haspel, LCSW
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Chairperson