

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

IN THE MATTER OF

COMPLAINT NUMBER 2016-01

CHUCK STELLY

LICENSE NO. 3523

CONSENT AGREEMENT AND ORDER

WHEREAS, Chuck Stelly, (“Mr. Stelly”) 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, Mr. Stelly. has indicated his 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, Mr. Stelly has admitted the following:

1. Mr. Stelly is a Licensed Clinical Social Worker (“LCSW”), 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. 3523.
2. At the time of the facts and matters alleged herein, Mr. Stelly was engaged in the practice of social work as a Mental Health Professional through his employment with Acadiana Area Human Services District.
3. At the time of the facts and matters alleged herein, Mr. Stelly worked for Acadiana Area Human Services District as Mental Health Center Manager B at Dr. Joseph

CS.

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Initial: CS

Henry Tyler Behavior Health Clinic (a unit of Acadiana Area Human Services District) until his resignation on June 23, 2015.

4. On April 21, 2015, a client of the Dr. Joseph Henry Behavioral Health Clinic ("client") accused Mr. Stelly of sexual abuse and harassment.
5. Acadiana Area Human Services District conducted its own investigation and referred the matter to the Louisiana Department of Health and Hospitals, Adult Protective Services for investigation.
6. The investigations substantiated the allegations made against Mr. Stelly.
7. During the course of the investigations a polygraph examination was administered to Mr. Stelly on June 13, 2013.
8. Prior to the polygraph examination, Mr. Stelly admitted that he had lied to the investigators when he denied he made comments of a sexual nature to the client.
9. Mr. Stelly admitted that he called the client on three separate occasions to discuss her sexual behavior and history.

WHEREAS, by making comments of a sexual nature to the client, Mr. Stelly violated Rules 113(B)(3) and 113(B)(5), which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(4), La. R.S. 37:2717(A)(5), La. R.S. 37:2717(A)(7) and La. R.S. 37:2717(A)(11).

WHEREAS, by calling the client on three separate occasions to discuss her sexual behavior and history, Mr. Stelly violated Rules 113(B)(3) and 113(B)(5), which is cause for disciplinary action pursuant to La. R.S. 37:2717(A)(4), La. R.S. 37:2717(A)(5), La. R.S. 37:2717(A)(7) and La. R.S. 37:2717(A)(11).

WHEREAS, Mr. Stelly has indicated his desire to resolve this matter through a Consent Agreement and Order;

C.S.

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

1. Mr. Stelly's license shall be on probation for five (5) years from the date that parties sign this Consent Agreement and Order.
2. Mr. Stelly shall be evaluated by the Louisiana State Board of Social Work Examiners' Impaired Professional Program (IPP), at his expense within thirty (30) days from the date that all parties sign this Consent Agreement and Order. Mr. Stelly shall follow all recommendations of the designated IPP evaluator in a timely manner.
3. Mr. Stelly shall complete one (1) hour of supervision of his social work practice once a month for three (3) years from the date that all parties sign this Consent Agreement and Order by a LCSW-BACS pre-approved by the Board. The supervision shall include focus on ethical practice, and obligation of license. Mr. Stelly shall submit to the Board the name of the potential supervisor and his/her resume within fifteen (15) days from the date that all parties sign this Consent Agreement and Order. The potential supervisor shall submit a letter stating his/her acceptance of the provision of said supervision and stating he/she is not, nor previously been, professionally or personally affiliated with Mr. Stelly prior to this request for supervision. The supervisor shall submit quarterly supervision reports to the Board documenting dates met for supervision, topics addressed and progress made in supervision. Mr. Stelly shall be responsible for all costs associated with supervision.

4. Mr. Stelly shall be prohibited from obtaining the BACS designation until the terms of this Consent Agreement and Order are complete.
5. Mr. Stelly shall restrict his practice for the full time of the probation to working with adult males.
6. Mr. Stelly shall pass the Board's Open Book Examination on the Social Work Practice Act and Rules, Standards & Procedures within ninety (90) days after the date that all parties sign this Consent Agreement and Order. This exam is available on the Board's website at www.labswe.org.
7. Mr. Stelly shall pay all legal costs associated with Complaint No. 2016-01 in the amount of THREE HUNDRED SEVENTY-FIVE DOLLARS AND 00/100 (\$375.00) within ninety (90) days from the date all parties sign this Consent Agreement and Order. There shall be no pre-payment penalty. Payments may be made with certified check, money order, or credit card. Personal checks are not accepted.
8. Mr. Stelly shall pay a fine of ONE THOUSAND DOLLARS AND 00/100 (\$1,000.00) 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 prepayment penalty. Payments may be made with certified check, money order, or credit card. Personal checks are not accepted.
9. Mr. Stelly 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 he has the right to consult with an attorney of his choice and understands he has the right to an administrative hearing on the facts in this case. He understands and agrees that by signing this Agreement, he is waiving *his* rights to a hearing. Further, he understands and agrees that he 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 he is voluntarily and knowingly giving up *his* right to present oral and documentary evidence, to present rebuttal evidence, to cross-examine witnesses against him, 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 2016-01, 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: 8/3/16

Madeline Carbonette
Madeline Carbonette
Assistant Attorney General
Prosecutor

I, Chuck Stelly, 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: 6/20/16

CAJ
Chuck Stelly

SUBSCRIBED AND SWORN TO before me this 20th day or June, 2016, at Cofeyville, Louisiana.

David Rutledge
Notary Public
Print Name: David Rutledge LA # 33639
My commission expires: Death
CAJ.

6.9.16

ORDER

The Louisiana State Board of Social Work Examiners, having examined the Consent Agreement and Order, Case No. 2016-01, adopted the Consent Agreement and Order in this matter.

DATED this 5th day of August, 2016 in Baton Rouge, Louisiana.

LOUISIANA STATE BOARD OF SOCIAL WORK EXAMINERS

Judith Haspel, LCSW
Judith Haspel, LCSW

Yofanda Burnom, LSCW
Yofanda Burnom, LSCW

Carla H. Moore, LMSW
Carla Moore, LMSW

Marguerite Salley, LCSW
Marguerite "Peggy" Salley, LCSW

Robert Showers, RSW
Robert Showers, RSW

John Shalett, LCSW-BACS
John Shalett, LCSW-BACS

Paulette Walker, M.Ed.
Paulette Walker, M.Ed., Public Member