

LOUISIANA STATE BOARD OF  
SOCIAL WORK EXAMINERS

IN THE MATTER OF  
MARJORIE MUNIZ  
LICENSE NO. 11952

COMPLAINT NO. 2022-19

CONSENT AGREEMENT AND ORDER

**WHEREAS**, Marjorie Muniz ("Ms. Muniz") is a credentialed social worker subject to the jurisdiction and the rules and regulations of the Louisiana State Board of Social Work Examiners ("Board" or "LABSWE");

**WHEREAS**, on August 14, 2021, the Board received a complaint alleging that Ms. Muniz improperly accessed the Complainant's medical records, as well as the medical records of the Complainant's two minor children, none of whom were Ms. Muniz's clients;

**WHEREAS**, by letter dated November 2, 2021, the Board notified Ms. Muniz of the complaint filed against her, provided Ms. Muniz with a summary of the nature of the complaint, and requested that Ms. Muniz, within fifteen (15) days, provide a written response giving her review of the allegations raised in the complaint;

**WHEREAS**, by correspondence dated November 5, 2021, Ms. Muniz responded to the complaint, giving her response to the allegations contained therein;

**WHEREAS**, pursuant to a complaint and an administrative investigation, Ms. Muniz 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;

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**WHEREAS**, Ms. Muniz has admitted to the following:

1. Ms. Muniz is a Licensed Master 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 Number 11952.
2. While employed at Ochsner Health Center, Ms. Muniz accessed the electronic medical records of the Complainant and the Complainant’s two minor children a total of sixty-seven (67) times from August 14, 2017 to January 22, 2021.
3. Neither the Complainant nor the Complainant’s minor children were patients of Ms. Muniz.

**WHEREAS**, by accessing the medical records of individual who were not clients of Ms. Muniz, Ms. Muniz violated La. Admin. Code tit. 46:XXV §111(G)(7) and §115.

**WHEREAS**, undersigned counsel has confirmed Ms. Muniz’s desire to resolve this matter through a Consent Agreement and Order;

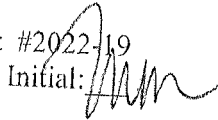
**WHEREAS**, Ms. Muniz agrees not to repeat the misconduct mentioned in this Consent Agreement and Order, and acknowledges that any further misconduct mentioned in this Consent Agreement and Order will be considered a violation of the terms of this Consent Agreement and Order and shall be cause for further disciplinary action;

**WHEREAS**, Ms. Muniz recognizes her right to have an administrative adjudication of the charges outlined in the complaint and notice letter, at which time Ms. Muniz would be entitled to be represented by legal counsel, to call witnesses, and to present witnesses on her behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law in accordance with the Louisiana Administrative Procedure

Act. Ms. Muniz nonetheless waives her right to formal adjudication and, pursuant to La. R.S. 49:955(D), consents to the entry of the Consent Agreement and Order set forth hereinafter. Ms. Muniz also acknowledges that she waives any rights to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:951, et seq., or which she otherwise may be afforded by any law, to contest her agreement to, or the force and effect of this Consent Agreement and Order, in any Court or other forum.

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


1. The LMSW license of Marjorie Muniz to be engaged in the practice of social work in the State of Louisiana, as evidenced by LMSW license number 11952 shall be, and is hereby REPRIMANDED. Accordingly, Ms. Muniz accepts and shall maintain strict compliance with the following terms and conditions.
2. Ms. Muniz shall take and pass an Open Book Examination covering the Louisiana Social Work Practice Act and the Board's Rules, Standards and Procedures, to include Chapter I, Standards of Practice within nine (9) months from the date all parties sign this Consent Agreement and Order.
3. Ms. Muniz shall complete six (6) pre-approved continuing education hours in HIPAA and Confidentiality within nine (9) months from the date all parties sign this Consent Agreement and Order.
4. Ms. Muniz shall pay a fine in the amount of TWO HUNDRED AND FIFTY DOLLARS AND 00/100 (\$250.00) within nine (9) months from the date all parties

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sign this Consent Agreement and Order. Payment shall be made by credit card, certified check, or money order.

5. Ms. Muniz shall reimburse legal costs associated with Complaint No. 2022-19 in the amount of \$570.00 within nine (9) months from the date all parties sign this Consent Agreement and Order. Payment shall be made by credit card, certified check, or money order.
6. Ms. Muniz 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.
7. Ms. Muniz shall report the terms of this Consent Agreement and Order to any board or agency located in the United States with which she is licensed or registered.
8. By agreeing to the terms of this Consent Agreement and Order, Ms. Muniz waives all rights to appeal this adjudication.

**Effect of Non Acceptance of Agreement.** Ms. Muniz acknowledges that this Consent Agreement and Order is subject to the approval of the Board. She further acknowledges and agrees that if the Board rejects this Consent Agreement and Order, it will be void, and an Administrative Complaint may be filed relative to the allegations contained herein. If this Consent Agreement and Order is rejected by the Board, it will not constitute a waiver of Ms. Muniz's right to a hearing on the matters alleged in an Administrative Complaint and the admissions contained herein will have no effect. She further agrees that if the Board rejects this Consent Agreement and Order, the members of the Board may decide the matter after a hearing, and their consideration of this

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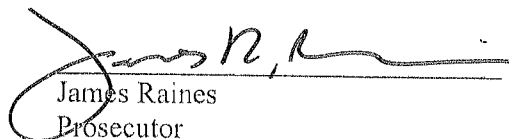
Consent Agreement and Order shall not alone be grounds for recusal of any member of the Board, including any claims that the Board is biased against her, that it cannot fairly decide the case, or that it has received ex parte communication.

**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 in, 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 2022-19, 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: 1/12/23

  
James Raines  
Prosecutor

I, Marjorie Muniz, 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  
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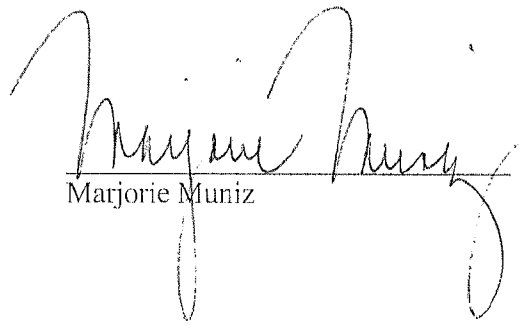
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license. The admissions contained herein will be considered proven and the only issue will be failure to follow the terms of the Consent Agreement and Order. I make these acknowledgements and waivers in support of a final disposition of the pending investigation of Complaint No. 2022-19 by Consent Agreement and Order pursuant to La. R.S. 49:955(D), in lieu of the institution and prosecution of formal administrative proceedings, and accordingly consent to the entirety of the Order set forth above and further waive any right to which I may be entitled under the Louisiana Administrative Procedure Act or any other law to contest, in any court, my agreement to this Order. By my subscription hereto, I also hereby authorize the Prosecutor to present this Order to the LABSWE for its consideration and to disclose to and discuss with the LABSWE the nature and results of the investigation of this matter. I herein waive any objection to such disclosure based on due process of law under either the State or Federal Constitution or under State statutory law, including La. R.S. 49:960. I expressly acknowledge that the disclosure of such information to the LABSWE shall be without prejudice to the Prosecutor's authority to file a formal Administrative Complaint, or the LABSWE's capacity to adjudicate such Administrative Complaint, should the LABSWE decline to approve this Consent Agreement and Order. I further acknowledge my awareness that should the LABSWE approve this Consent Agreement and Order that the Consent Agreement and Order will become a matter of public record.

DATED:

1/11/23

  
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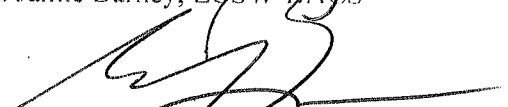
ORDER


The Louisiana State Board of Social Work Examiners, having examined the Consent Agreement and Order, Case No. 2022-19, adopted the Consent Agreement and Order in this matter.

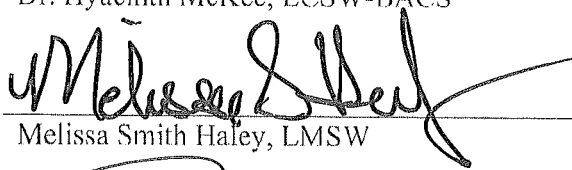
DATED this 13<sup>th</sup> day of January, 2023, in Baton Rouge, Louisiana.

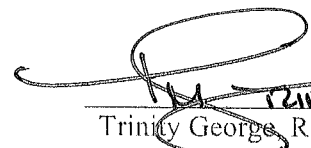
LOUISIANA STATE BOARD OF SOCIAL WORK EXAMINERS

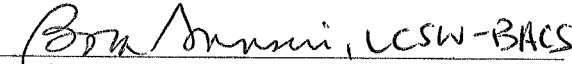
  
Dr. Jamie Barney, LCSW-BACS


  
Evan Bergeron, Esq., Consumer Member

  
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Melissa Smith Haley, LMSW

  
Trinity George, RSW

  
Borá Sunseri, LCSW-BACS

  
Ruth Weinzettle, LCSW-BACS