

**LOUISIANA STATE BOARD OF  
SOCIAL WORK EXAMINERS**

**IN THE MATTER OF  
ROBERT BRISCO, MSW  
APPLICANT FOR LMSW**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

The above captioned matter came before a Hearing Panel of the Louisiana State Board of Social Work Examiners ("Board") at the Board's office located at 18550 Highland Road, Suite B in Baton Rouge pursuant to Applicant's request for a Compliance Hearing in accordance with La. R.S. 37:2717 and L.A.C. 46:XXV.943 on November 6, 2020. The hearing was held in Executive Session pursuant to La. R.S. 42:17(A)(1).

Present were:

Hearing panel members: John Shalett, LCSW-BACS, Ruth Weinzettle, LCSW-BACS, Hyacinth McKee, LCSW-BACS ("Panel Members"); and

Sheri M. Morris serving as Counsel to the Hearing Panel;

Emily DeAngelo, Administrator, and

Present via video-conference was:

Robert Brisco ("Respondent").

After considering the evidence and testimony, the Hearing Panel unanimously renders the following Findings of Fact, Conclusions of Law and Order.

**FINDINGS OF FACT**

1. Respondent requested a compliance hearing to appeal the denial of his request for a waiver of the examination requirement to reinstate his lapsed Licensed Master's Social Work ("LMSW") credential.
2. Respondent received the LMSW in 2000 pursuant to a grandfather provision under which he was not required to pass the LMSW examination.
3. Respondent's LMSW credential lapsed on August 31, 2019 and Respondent was eligible to renew the LMSW credential through February 28, 2020 pursuant to the grandfather provision.
4. Respondent did not apply to renew the LMSW credential on or before February 28, 2020.

5. Respondent's application to reinstate the LMSW credential, submitted on March 23, 2020, stated he was employed with the Lafourche Parish School Board as a Qualified Social Worker from August 17, 2009 to March 23, 2020.
6. Respondent testified under oath:
  - A. Respondent has a master's degree in social work and does not believe his license determines what he knows;
  - B. Respondent has been doing this type of work since 1999 when he graduated;
  - C. Respondent did not complete the required number of CEUs timely;
  - D. Respondent is in the process of preparing for the Licensed Clinical Social Work examination ("LCSW") and does not believe he should have to take the examination for LMSW in addition;
  - E. Respondent requests a waiver of the examination requirement and reinstatement of the LMSW credential upon completion of the CEUs which should have been completed in 2019;
  - F. Respondent was unaware that licensure as a social worker is required to work in his current position with the school board;
  - G. Respondent is the Student Support Specialist in Lafourche Parish in which he deals with discipline problems and addresses social problems and behavior issues;
  - H. Respondent does not do counseling or prepare behavior support plans;
  - I. Respondent has been assisting the administration since 2018; and
  - J. Respondent has been unable to obtain CEUs due to COVID-19.

#### **CONCLUSIONS OF LAW**

1. Respondent's job duties are within the scope of social work practice as defined by La. R.S. 37:2703(15)(A).
2. The grandfather provision under which Respondent qualified for the LMSW credential expired; therefore, to obtain an LMSW credential Respondent must pass the LMSW examination.
3. The expired grandfather provision cannot be used for reinstatement of a lapsed LMSW credential.
4. Respondent meets the requirements for a Certified Social Worker credential.

## ORDER

Considering the evidence and testimony presented;

IT IS HEREBY ORDERED that Robert Brisco is issued the Certified Social Worker ("CSW") credential valid for six months;

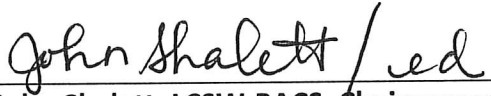
IT IS HEREBY FURTHER ORDERED that within six months of issuance of the CSW credential Robert Briscoe shall complete the following;

- a) Respondent shall pass the Board's Open Book Examination on the Louisiana Social Work Practice Act and the Board's *Rules, Standards and Procedures* including Chapter I, Standards of Practice;
- b) Respondent shall complete six pre-approved CEUs in social work ethics in addition to the CEUs required for renewal of the credential;
- c) Respondent shall pay a fine of \$375; and
- d) Respondent shall take the ASWB Masters examination.

IT IS HEREBY FURTHER ORDERED that this Order shall be a public record published in the Board's Newsletter, on the Board's website, the Association of Social Work Boards' Public Protection Database ("ASWB PPD"), and the National Practitioner Data Bank and Healthcare Integrity and Protection data Bank ("NPDB-HIPDB").

Signed this 19th day of November 2020.

Louisiana State Board of Social Work  
Examiners

  
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John Shalett, LCSW-BACS, Chairperson