

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

IN THE MATTER OF

COMPLAINT NO. 2022-11 C/W 2022-44

WILLIAM GARIBALDI IV

LICENSE NO. 12001

CONSENT AGREEMENT AND ORDER

WHEREAS, William Garibaldi (“Mr. Garibaldi”) 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 October 8, 2021, the Board received a complaint (No. 2022-11) against Mr. Garibaldi from the Clinical Director at Acer, LLC. The complainant supplemented the complaint with additional information on January 4, 2022. The complaints detailed concerns about Mr. Garibaldi engaging in unprofessional and/or unethical conduct, including, but not limited to, failing to complete necessary client documentation, including session notes, discharge documentation, as well as documentation of group members’ attendance at sessions; failing to act in the best interest of clients; failing to complete individual sessions; harassing and directing violent and threatening messages towards Acer, LLC staff after his termination, and being under the influence of narcotics and/or alcohol;

WHEREAS, by letter dated October 20, 2021, the Board notified Mr. Garibaldi of the complaint filed against him, provided Mr. Garibaldi with a summary of the nature of the complaint, and requested that Mr. Garibaldi, within fifteen (15) days, provide a written response giving his review of the allegations raised in the complaint;

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WHEREAS, by correspondence dated November 5, 2021, Mr. Garibaldi responded to the complaint, giving his response to the allegations contained therein, generally denying the allegations contained in the complaint;

WHEREAS, on January 3, 2022, the Board received an additional complaint (No. 2022-44) against Mr. Garibaldi from another former co-worker. The complaint detailed concerns about Mr. Garibaldi engaging in unprofessional and/or unethical conduct, including practicing while having a mental condition that impaired his ability to safely practice.

WHEREAS, by letter dated February 3, 2022, the Board notified Mr. Garibaldi of the subsequent complaint filed against him, provided Mr. Garibaldi with a summary of the nature of the complaint, and advised that the complaint was sent to Integrated Security and Investigative Specialists, LLC, for investigation of the allegations raised in the complaint;

WHEREAS, pursuant to a complaint and an administrative investigation, Mr. Garibaldi 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;

WHEREAS, Mr. Garibaldi has admitted to the following:

1. Mr. Garibaldi 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 Number 12001.
2. Mr. Garibaldi was employed as a social worker at Acer, LLC prior to his termination on October 7, 2021.

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3. Prior to termination of his employment at Acer, LLC, Mr. Garibaldi had been reprimanded by his supervisors for his poor work performance related to client care and documentation.
4. While employed at Acer, LLC, Mr. Garibaldi failed to properly document complete necessary client documentation, including session notes, discharge documentation, as well as documentation of group members' attendance at sessions. He also failed to complete individual sessions.
5. After his termination from Acer, LLC, Mr. Garibaldi harassed employees of Acer, LLC, and directed violent and threatening messages to employees of Acer, LLC.
6. Mr. Garibaldi practiced while having a mental condition that impaired his ability to safely practice.

WHEREAS, by failing to complete necessary client documentation, including session notes, discharge documentation, as well as documentation of group members' attendance at sessions; failing to act in the best interest of clients; failing to complete individual sessions; harassing and directing violent and threatening messages towards Acer, LLC staff after his termination, and being under the influence of narcotics and/or alcohol and/or practicing while in a mental condition that impaired his ability to safely practice, Mr. Garibaldi violated La. R.S. 37:2717(A)(5), (7)&(11), La. Admin. Code tit. 46:XXV §107(B), §111(G)(1)&(5), and §117(A).

WHEREAS, undersigned counsel has confirmed Mr. Garibaldi's desire to resolve this matter through a Consent Agreement and Order;

WHEREAS, Mr. Garibaldi agrees not to repeat the misconduct mentioned in this Consent Agreement and Order, and acknowledges that any further misconduct mentioned in this Consent

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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, Mr. Garibaldi recognizes his right to have an administrative adjudication of the charges outlined in the complaint and notice letter, at which time Mr. Garibaldi would be entitled to be represented by legal counsel, to call witnesses, and to present witnesses on his 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. Mr. Garibaldi nonetheless waives his 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. Mr. Garibaldi also acknowledges that he waives any rights to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:951, et seq., or which he otherwise may be afforded by any law, to contest his 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 Mr. Garibaldi accepts the following administrative action which is a final decision pursuant to La. R.S. 49:958:

1. Mr. Garibaldi 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. Garibaldi shall follow all recommendations of the designated IPP evaluator in a timely manner.
2. Mr. Garibaldi shall not engage in the practice of social work until he has been evaluated by the designated IPP evaluator.

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3. Should the IPP evaluator clear Mr. Garibaldi to return to practice, the license of Mr. Garibaldi, License No. 12001, will be placed on PROBATION for a period of two (2) years, and he must practice under supervision during the two (2) year probationary period. During the probationary period, Mr. Garibaldi must be supervised by a Board-Approved Clinical Supervisor ("BACS") one (1) time per month for one (1) hour each month.
4. Mr. Garibaldi shall pay all costs associated with Complaints 2022-11 C/W 2022-44 in the amount of \$3,215.15 within twelve (12) months after 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. The payments shall be made by credit card, certified check, or money order.
5. Mr. Garibaldi 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.
6. Mr. Garibaldi shall report the terms of this Consent Agreement and Order to any board or agency with which he is licensed or registered.
7. By agreeing to the terms of this Consent Agreement and Order, Mr. Garibaldi waives all rights to appeal this adjudication.

Effect of Non-Acceptance of Agreement. Mr. Garibaldi acknowledges that this Consent Agreement and Order is subject to the approval of the Board. He further acknowledges and agrees that if the Board rejects this Consent Agreement and Order, it will be void, and an Administrative

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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 Mr. Garibaldi's right to a hearing on the matters alleged in an Administrative Complaint and the admissions contained herein will have no effect. He 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 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 him, 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 2022-11 C/W 2022-44, 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: 4/26/23


James Raines
Prosecutor

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I, William Garibaldi IV, 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. I make these acknowledgements and waivers in support of a final disposition of the pending investigation of Complaint No. 2022-11 C/W 2022-44 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: 4-24-23


William Garibaldi IV

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ORDER

The Louisiana State Board of Social Work Examiners, having examined the Consent Agreement and Order, Case No. 2022-11 C/W 2022-44, adopted the Consent Agreement and Order in this matter.

DATED this 20th day of April, 2023, in Baton Rouge, Louisiana.

**LOUISIANA STATE BOARD OF SOCIAL
WORK EXAMINERS**

ABSENT
Dr. Jamie Barney, LCSW-BACS


Evan Bergeron, Esq., Consumer Member

RECEIVED
Dr. Hyacinth McKee, LCSW-BACS


Melissa Smith Haley, LMSW


Trinity George, RSW


Bora Sunseri, LCSW-BACS

ABSENT
Ruth Weinzettle, LCSW-BACS

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