

REC'D SEP 08 2023

LOUISIANA STATE BOARD OF  
SOCIAL WORK EXAMINERS

IN THE MATTER OF  
CHRISTY NICKO  
LICENSE NO. 16731

COMPLAINT NO. 2022-61

CONSENT AGREEMENT AND ORDER


WHEREAS, Christy Nicko (“Ms. Nicko”) 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 February 9, 2022, a complaint against Ms. Nicko was filed with the Board by Ms. Nicko’s former supervisor. The complaint described concerns about Ms. Nicko engaging in unprofessional and/or unethical conduct, including failing to timely report instances of alleged child abuse to the Department of Children & Family Services (DCFS).

WHEREAS, by correspondence dated February 10, 2022, Ms. Nicko notified the Board of her termination of supervision by her Board-approved supervisor due to Ms. Nicko’s failure to report an instance of child abuse. Ms. Nicko also requested guidance from the Board on maintaining her licensure;

WHEREAS, by letter dated June 16, 2022, the Board notified Ms. Nicko of the complaint filed against her, provided Ms. Nicko with a summary of the nature of the complaint, and requested that Ms. Nicko, within fifteen (15) days, provide a written response giving her review of the allegations raised in the complaint;

WHEREAS, by correspondence dated July 8, 2022, Ms. Nicko, through her counsel, responded to the complaint, giving her response to the allegations contained therein;

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**WHEREAS**, pursuant to a complaint and an administrative investigation, Ms. Nicko 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. 49:975(D) of the Louisiana Administrative Procedure Act;

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

1. Ms. Nicko is a Licensed Master's 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 16731.
2. Ms. Nicko received a Master of Social Work degree from Louisiana State University in May 2021.
3. Ms. Nicko obtained her CSW credential on June 16, 2021, and her LMSW credential on July 30, 2021.
4. An instance of alleged child abuse was brought to Ms. Nicko's attention in September 2021, and Ms. Nicko failed to immediately report the instance to DCFS.
5. Ms. Nicko was instructed to report the alleged child abuse to DCFS on February 4, 2022, by her former supervisor. Ms. Nicko failed to make the report until February 8, 2022.
6. Ms. Nicko was not sufficiently familiar with the Social Work Practice Act and the Rules, Standards and Procedures, particularly with regard to her duty to report allegations of child abuse to the appropriate State agency(ies).

**WHEREAS**, by failing to report an instance of alleged child abuse, Ms. Nicko violated La. R.S. 37:2717(A)(5), La. Admin. Code tit. 46:XXV §107(B) and §111(D).

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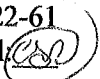
**WHEREAS**, undersigned counsel has confirmed Ms. Nicko's desire to resolve this matter through a Consent Agreement and Order;

**WHEREAS**, Ms. Nicko 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. Nicko recognizes her right to have an administrative adjudication of the charges outlined in the complaint and notice letter, at which time Ms. Nicko 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. Nicko nonetheless waives her right to formal adjudication and, pursuant to La. R.S. 49:975(D), consents to the entry of the Consent Agreement and Order set forth hereinafter. Ms. Nicko 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. 49:975(D), the Board orders and Ms. Nicko accepts the following administrative action which is a final decision pursuant to La. R.S. 49:977:

1. Ms. Nicko shall pass the Board's Open Book Examination on the Social Work Practice Act and Rules, Standards & Procedures within three (3) months after the date the parties sign this Consent Agreement and Order.

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2. Ms. Nicko shall complete a total of six (6) hours of continuing education on the subject of social work ethics. These hours are to be pre-approved by the Board prior to completion. This continuing education is in addition to the annual hours of continuing education required to maintain her LMSW. Ms. Nicko shall provide the Board with evidence of attendance within twelve (12) months after all parties sign this Consent Agreement and Order.
3. Ms. Nicko shall pay all costs associated with Complaint No. 2022-61 in the amount of \$777.50 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.
4. Ms. Nicko 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.
5. Ms. Nicko further acknowledges that failure to reimburse the fees set forth above at Paragraph 3 will require the Board to take further action in collection of this debt. Respondent has twenty-four (24) months to reimburse the expenses before the debt will be considered final and transferred to the Louisiana Office of Debt Recovery (ODR). After transfer, the debt is subject to an additional collection fee of up to twenty-five percent (25%) of the total debt liability, as provided for in LA R.S. 47:1676 (E).


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6. Ms. Nicko 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.
7. By agreeing to the terms of this Consent Agreement and Order, Ms. Nicko waives all rights to appeal this adjudication.

**Effect of Non-Acceptance of Agreement.** Ms. Nicko 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. Nicko'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 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).

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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 2022-61, 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: 9/15/22

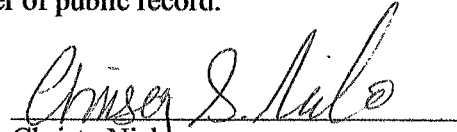
  
James Raines  
Prosecutor

I, Christy Nicko, 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. 2022-61 by Consent Agreement and Order pursuant to La. R.S. 49:975(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. 49:977.2. 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

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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: 9/6/2023

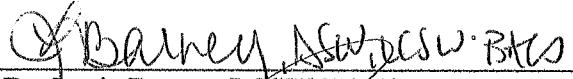
  
Christy Nicko

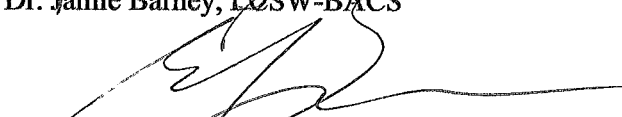
**ORDER**

The Louisiana State Board of Social Work Examiners, having examined the Consent Agreement and Order, Case No. 2022-61, adopted the Consent Agreement and Order in this matter.

DATED this 15 day of September, 2023, in Baton Rouge, Louisiana.


**LOUISIANA STATE BOARD OF SOCIAL  
WORK EXAMINERS**


  
Dr. Jamie Barney, LCSW-BACS

  
Evan Bergeron, Esq., Consumer Member

  
Dr. Hyacinth McKee, LCSW-BACS

  
Melissa Smith Haley, LMSW

  
Trinity George, RSW

  
Bora Sunseri, LCSW-BACS

  
Cordia Lopez, LCSW-BACS

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