

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

IN THE MATTER OF

FILE #2022-82

MICHELLE GRAFFEO, CSW

LICENSE NO. 16165


VOLUNTARY SURRENDER OF LICENSE

WHEREAS, MICHELLE GRAFFEO (“Ms. Graffeo”) is a Certified Social Worker (“CSW”), and is subject to the jurisdiction and rules and regulations of the Louisiana Social Work Practice Act (La. R.S. 37:2701, et seq.), and the Professional and Occupational Standards of the Louisiana State Board of Social Work Examiners (“Board” or “LABSWE”) (LAC 46:XXV §101, et seq.);

WHEREAS, on April 12, 2022, the LABSWE received a complaint indicating that while employed by the Louisiana Department of Public Safety & Corrections and providing social work services to inmates at Louisiana State Penitentiary, MS. GRAFFEO exchanged sexually explicit emails with ex-inmates recently released from prison and inmates that were incarcerated at the time of the communications. It was further alleged that at least one of the ex-inmates was treated in group counseling by MS. GRAFFEO while incarcerated.

WHEREAS, by letter dated April 18, 2022, the Board notified MS. GRAFFEO of the complaint filed against her, provided MS. GRAFFEO with a summary of the nature of the complaint, and requested that MS. GRAFFEO, within fifteen (15) days, provide a written response giving her review of the allegations raised in the complaint;

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WHEREAS, the parties present the following facts as the basis for the Voluntary Surrender of License:

1. MS. GRAFFEO holds a license with the LABSWE as a Certified Social Worker, license number 16165.
2. At all times pertinent to the allegations addressed in the Complaint, MS. GRAFFEO was employed by the Louisiana Department of Public Safety & Corrections and provided social work services to inmates at Louisiana State Penitentiary;
3. Pursuant to an investigation by the Louisiana Department of Public Safety & Corrections into the communications of MS. GRAFFEO with current and former inmates, MS. GRAFFEO's employment was terminated;
4. MS. GRAFFEO admits that she engaged in sexually explicit communications with current and former inmates of the Louisiana State Penitentiary, including at least one former inmate who was treated in group counseling by MS. GRAFFEO while incarcerated.

WHEREAS, the respondent, MICHELLE GRAFFEO, through counsel, has indicated her desire to voluntarily surrender her license with the LABSWE, particularly License No. 16165;

WHEREAS, the respondent, MICHELLE GRAFFEO, acknowledges that the following will result due to her voluntary surrender of her CSW license with the LABSWE:

1. A report of this Voluntary Surrender of License and the conditions under which the license was surrendered shall be submitted to the National Practitioners Data Bank ("NPDB").
2. Public notification of this Voluntary Surrender of License by publishing and reporting in, including but not limited to, the LABSWE website, 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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3. A five (5) year waiting period before MS. GRAFFEO will be eligible to apply for licensure with the LABSWE.
4. In the event that MS. GRAFFEO seeks licensure by the Board after the five (5) year period addressed above at Paragraph 3, the LABSWE may deny or grant licensure. In the event of licensure, the Board reserves the right, in its sole and absolute discretion, to place any conditions or restrictions on MS. GRAFFEO's practice of social work it deems appropriate.
5. MS. GRAFFEO shall pay attorney fees in the amount of \$575.00 within twelve (12) months from the date all parties sign this Voluntary Surrender of License. The payments shall be made on a quarterly basis with the first payment being due within ninety (90) days from the date all parties sign this Voluntary Surrender of License. The payments shall be made by credit card, certified check or money order.

WHEREAS, MS. GRAFFEO acknowledges that she has had the opportunity to thoroughly review the content of this Voluntary Surrender of License and that she is informed of and understands her rights to due process in connection with administrative charges, and that prior to final disciplinary action against her license, she would be entitled to have notice of a hearing on the allegations and charges asserted against her through the filing of an Administrative Complaint, and to have an administrative adjudication of such charges, at which time MS. GRAFFEO would be entitled to be represented by legal counsel, to call witnesses and to present evidence on her own 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 pursuant to La. R.S. 49:950, *et seq.*;

WHEREAS, Notwithstanding her right to an administrative hearing and a decision thereon as provided by La. R.S. 49:955-965, in recognition of the stipulations set forth above and for the final disposition of this administrative action, MS. GRAFFEO, nonetheless, waives her right to formal adjudication and voluntarily surrenders to the Board her license to practice as a Certified Social Worker in the state of Louisiana as evidenced by License No. 16165. MS. GRAFFEO also

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hereby authorizes a member of the Disciplinary Committee or the Board attorney to present this Voluntary Surrender of License to the Board for its consideration, and to fully disclose to and discuss with the Board the circumstances of this surrender, and she waives any objection to such disclosures under La. R.S. 49:950, *et seq.*;


WHEREAS, MS. GRAFFEO acknowledges, stipulates and agrees that the voluntary surrender of her license shall be deemed by the Board to have the same effect as if the Board had entered an order of revocation upon the conclusion of formal administrative proceedings.

WHEREAS, by the voluntary surrender of her CSW license, MS. GRAFFEO, moreover, acknowledges, stipulates, and agrees that she hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act or which otherwise may be afforded to her by law, to contest her agreement to, or the force and effect of this document in any Court related to the matters referred to herein;

WHEREAS, MS. GRAFFEO acknowledges that she has had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation and has been represented in this matter by Elizabeth B. Carpenter, Esq.;

Effect of Non Acceptance of Agreement. MS. GRAFFEO 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 Voluntary Surrender of License, it will be void, and an Administrative Complaint may be filed relative to the allegations contained herein. If this Voluntary Surrender of License is rejected by the Board, it will not constitute a waiver of MS. GRAFFEO's right to a hearing on the matters alleged in an Administrative Complaint and the

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BOARD ORDER
and
ACCEPTANCE OF THE VOLUNTARY SURRENDER OF LICENSE BY THE
LOUISIANA STATE BOARD OF SOCIAL WORK EXAMINERS:

By a majority vote of the Board members voting in favor of the foregoing Voluntary Surrender of License at the Board meeting on October 21, 2022, the Board hereby adopts said Voluntary Surrender of License, and makes it an Order of this Board.

Accordingly, the Board orders as follows:

1. A report of this Voluntary Surrender of License and the conditions under which the license was surrendered shall be submitted to the National Practitioners Data Bank ("NPDB").
2. Public notification of this Voluntary Surrender of License by publishing and reporting in, including but not limited to, the LABSWE website, the Association of Social Work Boards (ASWB), and the National Practitioner Data Bank-Healthcare Integrity and Protection Data Bank (NPDB-HIPDB).
3. A five (5) year waiting period before MS. GRAFFEO will be eligible to apply for licensure with the LSBSWE.
4. In the event that MS. GRAFFEO seeks licensure by the Board after the five (5) year period addressed above at Paragraph 3, the LABSWE may deny or grant licensure. In the event of licensure, the Board reserves the right, in its sole and absolute discretion, to place any conditions or restrictions on MS. GRAFFEO's practice of social work it deems appropriate.

MS. GRAFFEO shall pay attorney fees in the amount of \$575.00 within twelve (12) months from the date all parties sign this Voluntary Surrender of License. The payments shall be made on a quarterly basis with the first payment being due within ninety (90) days from the date all parties sign this Voluntary Surrender of License. The payments shall be made by credit card, certified check or money order.

FOR THE BOARD:



~~RUTH WEINZETTLE, LCSW-BACS, Chair~~

Hyacinth McKee, LCSW-BACS

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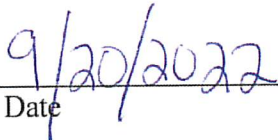
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admissions contained herein will have no effect. She further agrees that if the Board rejects this Voluntary Surrender of License, the members of the Board may decide the matter after a hearing, and their consideration of this Voluntary Surrender of License shall not alone be grounds for refusal 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.

WHEREAS, based upon the above, MICHELLE GRAFFEO surrenders her CSW license held with the LABSWE, particularly No. 16165;


MICHELLE GRAFFEO


Date

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