

LOUISIANA BOARD OF EXAMINERS FOR  
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY (LBESPA)

RECEIVED

IN THE MATTER OF

LBESPA COMPLAINT

AUG 13 2010

DEBORAH HUTCHIN

#2009-03

LICENSE #940

**CONSENT AGREEMENT AND ORDER**

**WHEREAS**, Deborah Hutchin is a licensed Speech-Language Pathologist subject to the jurisdiction and Rules, Regulations and Procedures of the Louisiana Board of Examiners for Speech-Language Pathology and Audiology (hereinafter sometimes referred to as "Board"); and

**WHEREAS**, pursuant to a complaint and an administrative investigation, the Speech-Language Pathologist, Deborah Hutchin, has indicated her desire to resolve this matter through a Consent Agreement and Order as provided for in Rule No. 501(H) of the Board's Rules, Regulations and Procedures and LA R.S. 49:955(D) of the Louisiana Administrative Procedures Act; and

**WHEREAS**, Deborah Hutchin has admitted the following:

1. Ms. Hutchin is and at all times pertinent to the facts and matters alleged herein, a Speech-Language Pathologist licensed by the Board to engage in the practice of speech-language pathology in the State of Louisiana pursuant to the LA Speech-Language Pathology and Audiology Practice Act, LA R.S. 37:2650 et seq., as evidenced by License No. 940.

2. At all times pertinent hereto, Ms. Hutchin was actively engaged in the practice of speech-language pathology at Jefferson Terrace Elementary School.
3. Ms. Hutchin admitted to Don Evans, Complaint Investigation Officer, and further admits to the Board that she did not observe all of the students that she was required to observe as indicated on each child's Individualized Education Program (IEP).
4. According to documentation acquired in the investigation, during the 2008-2009 school year, Deborah Hutchin missed 574 sessions for 28 students scheduled for therapy on Mondays and Wednesdays and 489 sessions for 27 students scheduled for therapy on Tuesdays and Thursdays.
5. At the time of the investigation, one file for a student scheduled for services on Mondays and Wednesdays, did not include service logs for the time period October 2008 through January 2009.
6. Ms. Hutchin advised that she was unable to provide services to students due to paperwork requirements.
7. Ms. Hutchin admitted that when questioned by a parent regarding a decrease in services to his child, she advised the parent that she had not seen the child regularly because of excessive paperwork that had to be completed.

8. Ms. Hutchin advised Don Evans that the East Baton Rouge Parish School System prioritizes and emphasizes completing paperwork rather than providing services to students.
9. According to documentation acquired in the investigation, Ms. Hutchin's schedule allotted 18.25 hours per week for planning, testing, conferences, etc. This time did not include services to students.

**WHEREAS**, by not providing required services to students, Deborah Hutchin engaged in conduct likely to harm the public and demonstrated a willful disregard for the welfare of consumers which is a violation of LA R.S. 37:2662(4). Such conduct is a violation of Rule 701E(1) of the Rules, Regulations and Procedures, which states that licensees shall hold paramount the welfare of persons served and to take all reasonable precautions to avoid harm.

**WHEREAS**, by not maintaining service logs for a student, Deborah Hutchin is in violation of Rule 701E(1)(g) of the Rules, Regulations and Procedures, which states that individuals shall maintain adequate records of professional services rendered.

**WHEREAS**, by advising that the East Baton Rouge Parish School System prioritizes and emphasizes completing paperwork rather than providing services to students, Deborah Hutchin engaged in unprofessional conduct which is a violation of LA R.S. 37:2662(5). Such conduct is also a violation of Rule 701E(4) which requires individuals to honor their responsibilities to the professions and Rule 701E(4)(b) which prohibits individuals from engaging in conduct that adversely reflects on the professions.

**WHEREAS**, by failing to provide required services to students, failing to maintain a service log for one student, and indicating that paperwork is priority over services to students, Deborah Hutchin is in violation of LA R.S. 37:2662(6) and Rule 701E(4)(g).

**WHEREAS**, the Board is persuaded that it is in the best interest of the public to enter into this Consent Agreement and Order, the conditions of which are set forth hereafter;

**WHEREAS**, Deborah Hutchin hereby formally waives any and all legal, administrative, procedural, or judicial remedies, appeals, or relief which might be available under the Administrative Procedure Act, the Speech-Language Pathology and Audiology Act, or any other law or statute;

**WHEREAS**, the Board and Licensee have entered into this Consent Agreement and Order by which the Board agrees to resolve the complaint. Licensee agrees to accept the following specified conditions in resolution of the complaint.

**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 Deborah Hutchin accepts the following administrative action which is a final decision pursuant to the LA R.S. 49:958:

1. License is suspended for six months and all practice of speech-language pathology shall cease immediately and until such time as the Board lifts the suspension from the license.

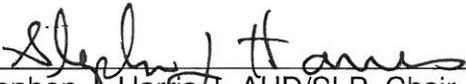
2. Within ninety (90) days of the date all parties sign this Consent Agreement and Order, Licensee shall successfully complete an open book examination, and pay all related testing fees, regarding Louisiana Revised Statute 37:2650-2666 (The Practice Act); the Board's Rules, Regulations and Procedures; and Ethical Questions.
3. Applicant shall complete ten (10) hours of continuing education in ethics. The continuing education course shall be pre-approved by the Board sixty (60) days prior to the course. A certificate of attendance for the course must be submitted upon completion of the course, but not to exceed ninety (90) days from the course. These hours are in addition to the continuing education hours required to renew.
4. Licensee shall pay a \$2,000.00 fine within one (1) year from the date all parties sign this Consent Agreement and Order.
5. Licensee shall pay the legal and investigative costs of adjudicating this matter in the amount of \$2,544.50 on or before ninety (90) days from the date all parties sign this Consent Agreement and Order.
6. Licensee waives any and all legal, procedural, or judicial remedies, appeals, or relief which might be available under the Administrative Procedures Act, and the statutory and procedural rules of the Louisiana Board of Examiners for Speech-Language Pathology and Audiology.
7. Licensee specifically acknowledges that failure to comply with the terms of this Consent Agreement and Order in a timely manner without LBESPA's authorization shall result in **REVOCATION** of licensure without further

notice until such time as the Board receives and accepts documentation of Applicant's completion of the requirements set forth above. 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.

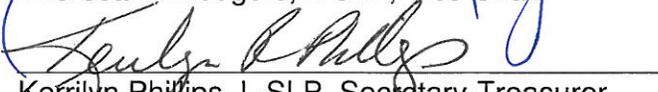
**THIS CONSENT AGREEMENT AND ORDER** is a matter of public record for violation of the above referenced sections of the Louisiana Speech-Language Pathology and Audiology Practice Act and the Rules, Regulations and Procedures. Licensee is to be Publicly Reprimanded for violation of the above referenced sections in the Practice Act (LA R.S. 37:2650 et seq.) and the Rules, Regulations and Procedures. Such reprimand shall include publication by LBESPA, notification to the Department of Education, Louisiana Speech-Language Hearing Association (LSHA), American Speech-Language-Hearing Association (ASHA), Speech Pathologists and Audiologists in Louisiana Schools (SPALS), Early Steps and the Healthcare Integrity and Protection (HIP) Data Bank.

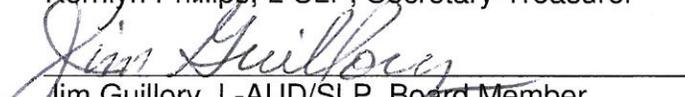
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IN WITNESS HEREOF, the Louisiana Board of Examiners for Speech-Language Pathology and Audiology has entered into this Consent Agreement and Order and executed same at Baton Rouge, Louisiana on this the 2 day of October, 2010.

  
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Stephen J. Harkis, L-AUD/SLP, Chair

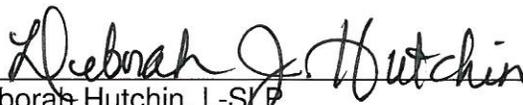
  
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Theresa H. Rodgers, L-SLP, Vice Chair

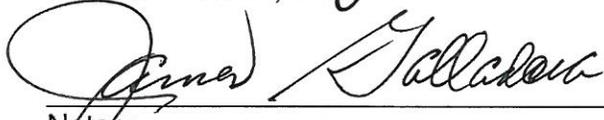
  
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Kerrilyn Phillips, L-SLP, Secretary-Treasurer

  
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Jim Guillory, L-AUD/SLP, Board Member

  
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Verlencia Millet, L-SLP, Board Member

IN WITNESS HEREOF, Deborah Hutchin, L-SLP, has entered into this Consent Agreement and Order and executed same at Baton Rouge, Louisiana, on this 11<sup>th</sup> day of August, 2010.

  
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Deborah Hutchin, L-SLP

  
\_\_\_\_\_  
Notary

*James Gailadora*

*Notary # 312*

*My Commission is for life.*

**NOTARIZATION REQUIRED**