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

IN THE MATTER OF

LBESPA ADMINISTRATIVE

JENNIFER HAYES

#2010-07

SPEECH-LANGUAGE PATHOLOGIST

LICENSE No. 4768

**CONSENT AGREEMENT AND ORDER**

**WHEREAS**, this matter came before The Louisiana Board of Examiners for Speech-Language Pathology and Audiology (hereinafter referred to as "Board") pursuant to administrative action upon receipt of supervision documentation for a Provisional Speech-Language Pathology Assistant, which she supervised.

**WHEREAS**, Ms. Hayes holds Speech-Language Pathology license number 4768, and appeared before the Board in a Compliance Hearing on August 7, 2009. Based upon documentation submitted and testimony presented, the following Consent Agreement and Order was drafted.

**WHEREAS**, Jennifer Hayes, hereby admits and the Board hereby makes the following findings of fact:

1. That during the time period from August 2008 through August 2009, Ms. Hayes was listed as supervisor for Melissa Connolly, Provisional Speech-Language Pathology Assistant.
2. That during the time period of August 2008 through August 2009, Ms. Hayes allowed a Provisional Speech-Language Pathology Assistant to practice without meeting the minimum supervision requirement, clearly a violation of the Board's *Rules, Regulations and Procedures*, Rule 127.

3. That during the period of August 2008 through August 2009, Ms. Hayes failed to design treatment plans, assign caseloads, and provide a supervision system that protects patient/client care.

4. That during the period of August 2008 through August 2009, Ms. Hayes signed billing statements for unsupervised services provided by her supervisee.

**WHEREAS**, by failing to provide supervision to a Provisional Speech-Language Pathology Assistant, Ms. Hayes has violated her professional and ethical duty as set out in Louisiana Speech-Language Pathology and Audiology Practice Act LA R.S. 2662(A)(5) and (6) by engaging in unprofessional conduct, as defined by the rules established by the Board, and has violated the code of ethics adopted and published by the Board as identified in Rule 701(E)(2)(d) which states individuals shall provide appropriate supervision and assume full responsibility for services delegated to all supervisees.

**WHEREAS**, by allowing her supervisees to practice without appropriate supervision, Ms. Hayes has violated her professional and ethical duty as set out in Louisiana Revised Statutes 37:2662 (A)(4) by engaging in conduct likely to...harm the public, or demonstrated a willful or careless disregard for the welfare or safety of a consumer, and has violated the code of ethics adopted and published by the Board as identified in Rule 701(E)(1) which states licensees shall honor their responsibility to hold paramount the welfare of persons they serve and take all precautions to avoid harm to the individual served professionally; and Rule 701 (E)(2)(e) which states individuals shall neither provide services nor supervision for services for which they have not been properly prepared, nor shall individuals require or permit their professional staff to provide services or conduct research activities that exceed the staff member's competence, level

of education, training, or experience.

**WHEREAS**, by signing billing statements for unsupervised services provided by the Provisional Speech-Language Pathology Assistants, Ms. Hayes has violated her professional and ethical duty as set forth in LA R.S. 2662(A)(3) by engaging in fraudulent billing and has violated the code of ethics adopted and published by the Board as identified in Rule 701(E)(4)(a) which states individuals shall prohibit anyone under their supervision from engaging in any practice that violates the Code of Ethics.

**WHEREAS**, Ms. Hayes has indicated her desire to resolve this matter through this Consent Agreement and Order;

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

1. Within ninety (90) days of the date that all parties sign this Consent Agreement and Order, Applicant shall complete an open book examination, and pay all related testing fees, regarding Louisiana Revised Statute 37:2650-2666, the Board's *Rules, Regulations and Procedures*, and Ethical Questions – Situations.

2. Ms. Hayes shall complete a self-study regarding supervision of assistants. An outline must be submitted to the Board for pre-approval within thirty (30) days from the date all parties sign this Consent Agreement and Order. The self-study must be submitted within three (3) months from the date all parties sign this Consent Agreement and Order.

Consent Agreement and Order

3. Ms. Hayes shall complete five (5) hours of continuing education regarding supervision. Pre-approval **MUST** be obtained from the Board thirty (30) days prior to the course. A certificate of attendance for the course must be submitted within three (3) months from the date that all parties sign this Consent Agreement and Order.

4. Ms. Hayes shall pay a fine of seven hundred and fifty dollars (\$750.00) to the Board within ninety (90) days of the date all parties sign this Consent Agreement and Order.

5. If Licensee **fails to successfully and timely complete** all requirements set forth above, the Applicant's license shall be **SUSPENDED** indefinitely without further notice until such time as the Board receives and accepts documentation of Licensee's completion of the requirements set forth above.

**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 Louisiana Speech-Language Hearing Association (LSHA), American Speech-Language-Hearing Association (ASHA), Speech Pathologists and Audiologists in Louisiana Schools, Inc. (SPALS), Early Steps, and the Healthcare Integrity and Protection (HIP) Data Bank.

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Consent Agreement and Order

IN WITNESS HEREOF, The Louisiana Board of Examiners for Speech- Language Pathology and Audiology has entered into this Consent Agreement and Order and has executed same at Pineville, Louisiana on this 30<sup>th</sup> day of September, 2009.

Baton Rouge, LA - October 2, 2009

The Louisiana Board of Examiners for Speech-Language Pathology and Audiology

By: Steve Hayes  
Board Chair

Dana M. Waguespack  
Board Member

Thomas H. Rodgers  
Board Member

Judith Phillips  
Board Member

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Board Member

IN WITNESS HEREOF, Jennifer Hayes, Licensee, has entered into this Consent Agreement and Order and executed same at Pineville, Louisiana, on this 30<sup>th</sup> day of September, 2009.

Jennifer Hayes, MS, CCC-SLP  
Jennifer Hayes

**NOTARIZATION REQUIRED**

Catherine L. Bryant

CATHERINE L BRYANT  
NOTARY #24525