

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

IN THE MATTER OF

LBESPA ADMINISTRATIVE

BRANDY TOWNSEND

#2012-06

AKA BRANDON TOWNSEND

CONSENT AGREEMENT AND ORDER

WHEREAS, this matter came before the Louisiana Board of Examiners for Speech-Language Pathology and Audiology (hereinafter sometimes referred to as "Board") pursuant to an application for licensure to practice as a Speech-Language Pathologist submitted by Brandy Townsend (hereinafter sometimes referred to as "Applicant").

WHEREAS, upon receiving an application to practice as a Speech-Language Pathologist on March 20, 2012, the Board received information from application that Applicant practiced speech-language pathology with a lapsed license from July 1, 2011 through March 19, 2012.

WHEREAS, Brandy Townsend's application was denied and she was offered a compliance hearing.

WHEREAS, the Board conducted a compliance hearing on May 31, 2012 at Applicant's request.

WHEREAS, Ms. Townsend testified under oath and in the presence of her legal counsel, that because of her medical condition she turned all financial responsibilities over to her disabled husband and that she was not aware that he did not pay her

license renewal fee, which was due by June 30, 2011. She advised the members of the Board that she took leave in 2010 from employment with Jefferson Parish School Board until January 2011. She further advised that she provided services as a speech-language pathologist from January 2011 until the school year ended in May 2012.

WHEREAS, Applicant testified that she became aware that her license was lapsed in March 2012, but continued to practice because she didn't want to create problems for her employer or leave students without services.

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, Applicant 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 Applicant have entered into this Consent Agreement and Order by which the Board agrees to resolve the licensure concerns. Applicant agrees to accept the following specified conditions in resolution of the concerns while maintaining that her actions were due to a lack of knowledge and without any intent to circumvent the law.

WHEREAS, by practicing without a valid license, Brandy Townsend has violated her professional and ethical duty as set out in §2652 of the Louisiana Speech-Language Pathology and Audiology Practice Act.

WHEREAS, by providing services after realizing her license was lapsed, Brandy Townsend misrepresented her credentials, a violation of §701(E)(3)(a) of the Rules, Regulations and Procedures, and is a violation of her professional and ethical duty as set forth by La R.S. 2662(5) and (6).

WHEREAS, by withholding information from her employer and supervisor that her license was lapsed, Brandy Townsend engaged in deceit, a violation of §701(E)(4)(b), and is a violation of her professional and ethical duty as set forth by La R.S. 2662(4).

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 Brandy Townsend accepts the following administrative action which is a final decision pursuant to the LA R.S. 49:958:

1. Applicant shall pay \$260.00 delinquent renewal fee in accordance with §121(I)(2).
2. Applicant shall submit documentation of ten (10) hours of continuing education obtained between July 1, 2010 and June 30, 2011.
3. Applicant shall be issued a Speech-Language Pathology license effective the date she has this Agreement notarized, conditional that terms 1 and 2 above are satisfied.
4. Within ninety (90) days of the date Applicant signs this Consent Agreement and Order, Applicant shall successfully complete an open book examination on the Louisiana Speech-Language Pathology and Audiology Practice Act, Rules,

Regulations and Procedures, to include the section on Ethics, and pay all related testing fees.

5. Within ninety (90) days of the date Applicant signs this Consent Agreement and Order, Applicant shall pay a fine of \$500.00. Payment is to be remitted to LBESPA in the form of a check, money order or credit card. Cash payments are not accepted.
6. Within ninety (90) days of the date Applicant signs this Consent Agreement and Order, Applicant shall submit a 1,000 word essay on the importance of licensure and its impact on consumers and employers.
7. Applicant 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.
8. Applicant 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 **SUSPENSION** 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 Louisiana Speech-Language Hearing Association (LSHA), American Speech-Language-Hearing Association (ASHA), Speech Pathologists and Audiologists in Louisiana Schools (SPALS), the Department of Education, any employer(s) on record, and the National Practitioner Data Bank-Healthcare Integrity and Protection Data Bank (NPDB-HIPDB).

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

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 3 day of August, 2012.

Glenn M. Waguespack
Glenn Waguespack, L-AUD, Chairperson

Verlencia Millet
Verlencia Millet, L-SLP, Vice Chairperson

Kerrilyn R. Phillips
Kerrilyn R. Phillips, L-SLP, Secretary-Treasurer

Jim Guilbey
Board Member

IN WITNESS HEREOF, Brandy Townsend, Applicant, has entered into this Consent Agreement and Order and executed same at New Orleans, Louisiana, on this 15th day of June, 2012.

Brandy Townsend
Brandy Townsend

Martin L. Broussard, Jr.
Notary

MARTIN L. BROUSSARD, JR.
BAR #3525

NOTARIZATION REQUIRED