

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

RECEIVED

SEP 23 2015

IN THE MATTER OF

LBESPA COMPLAINT

MELANEY W. BATISTE

#2014-03

L-SLP LICENSE #1224

CONSENT AGREEMENT AND ORDER

WHEREAS, Melaney W. Batiste (hereinafter sometimes referred to as "Ms. Batiste") was previously a licensed Speech-Language Pathologist and has applied for reinstatement of that license, and is 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 an administrative investigation, Melaney W. Batiste 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, 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, Melaney W. Batiste 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 Melaney W. Batiste have entered into this Consent Agreement and Order by which the Board agrees to resolve the complaint. Ms. Batiste agrees to accept the following specified conditions in resolution of the complaint.

WHEREAS, Melaney W. Batiste has been convicted of a felony in Federal Court.

WHEREAS, by being convicted of an offense which constitutes a felony under the laws of this state, Melaney W. Batiste has violated her ethical and professional duty as set forth in LA R.S. 37:2662.

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 Melaney W. Batiste accepts the following administrative action which is a final decision pursuant to the LA R.S. 49:958:

1. A Speech-Language Pathology license will be issued from the date the Board receives the signed Consent Agreement and Order from Ms. Batiste.
2. Ms. Batiste will be supervised by a Speech-Language Pathologist, who is to be pre-approved by the Board. Ms. Batiste will complete a Supervision Agreement Form which the Board will develop for this purpose. At a minimum, Ms. Batiste must submit for pre-approval, the supervisor's name, resume, supervisory qualifications, and affiliation with the company.

3. The board approved Speech-Language Pathology supervisor will: (a) submit a monthly performance review of Ms. Batiste; (b) review all evaluations and ensure that they are accurate; and (c) oversee all billing performed by Ms. Batiste.
4. Ms. Batiste will submit monthly reports which will include: employer(s) name, types of clients, types of disorders (age/type of reimbursement), treatment methodology, number of sessions, details on billing, and who is selecting clients serviced by Ms. Batiste.
5. Ms. Batiste will also be supervised on a weekly basis as follows: If employed part time: (a) 3 hours of on-site, in-view supervision (as defined in Rule 103) and 2 hours of alternative supervision. If employed full time: (a) 6 hours of on-site, in-view supervision (as defined in Rule 103) and 4 hours of alternative supervision. Supervision Form 200s must be submitted monthly.
6. Ms. Batiste will not bill for services rendered, unless and until the Medicaid billing exemption is lifted by the Federal Court Judge who imposed sentence. Prior to billing for services, Ms. Batiste will submit documentation from the Judge in this regard. If the billing exemption is lifted and Ms. Batiste is allowed to bill Medicaid and other third party payors, all billing will be overseen by the Speech-Language Pathology supervisor.
7. Ms. Batiste 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

Ms. Batiste'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. The terms of this Consent Agreement and Order are mandated by the board until such time as the board notifies Ms. Batiste otherwise.

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 (NPDB).

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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 4th day of December, 2015.

Stephen J. Harris
Stephen J. Harris, M.A., CCC-A, L-AUD/SLP, Chair

Glenn M. Waguespack
Glenn M. Waguespack, M.S., L-AUD, Vice Chair

Daphne Washington
Daphne Washington, M.A., L-SLP, Secretary-Treasurer

Tammy Crawford
Board Member
Tammy Crawford, MS, L-SLP, CCC-SLP

IN WITNESS HEREOF, Melaney W. Batiste, has entered into this Consent Agreement and Order and executed same at Orleans Parish, Louisiana, on this 21 day of September, 2015.

Melaney W. Batiste
Melaney W. Batiste

Lorena Lisi
Notary
Commissioned
for Life
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