

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

**IN THE MATTER OF
MELANEY W. BATISTE**

**LBESPA COMPLAINT #2014-03
L-SLP LICENSE #1224**

CONSENT AGREEMENT AND ORDER

WHEREAS, Melaney Batiste (“Ms. Batiste”) is an inactive licensed Speech-Language Pathologist subject to the jurisdiction and laws and regulations for Speech-Language Pathologists and Audiologists (La. R.S. 37:2650, *et seq.*), and the Professional and Occupational Standards for Speech Pathology and Audiology (LAC 46:LXXV §103, *et seq.*); and

WHEREAS, due to Ms. Batiste being convicted of a felony in federal court, the above captioned administrative investigation was opened regarding the conduct of Ms. Batiste. The investigation was resolved by the agreement of Ms. Batiste to a Consent Agreement and Order, which was approved by the Louisiana Board of Examiners for Speech-Language Pathology and Audiology (“LBESPA” or “Board”) at its meeting on December 4, 2015.

WHEREAS, the December 4, 2015, Consent Agreement and Order, provided the following regarding the licensure of Ms. Batiste:

1. Ms. Batiste was issued a Speech-Language Pathology license from the date the Board received the Signed Consent Agreement and Order.
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.

WHEREAS, on December 11, 2024, Ms. Batiste submitted an email to the Board advising that she has not been able to practice Speech-Language Pathology since the time the December 4, 2015, Consent Agreement and Order went into effect due to the cost of implementing the stipulations regarding supervision therein, and has not practiced for more than ten (10) years. In her email, she requested that the Board allow her to return to active status and to practice without further stipulations as set forth in the Consent Agreement and Order.

WHEREAS, pursuant to the above, Ms. Batiste, has indicated her desire to resolve this matter through a new Consent Agreement and Order as provided for in LAC 46:LXXV §501(H) of the and La. R.S. 49:975(D) of the Louisiana Administrative Procedure Act, which will replace and supersede the December 4, 2015 Consent Agreement and Order;

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, the undersigned attorney for LBESPA has communicated with Ms. Batiste, who has indicated that it is her desire to resolve this matter through a Consent Agreement and Order;

WHEREAS, Ms. Batiste recognizes her right to have an administrative adjudication of the charges outlined in the complaint and notice letter, at which time Ms. Batiste would be entitled to be represented by legal counsel, to call witnesses, and to present witnesses on her behalf in defense or in mitigation of the charges made, and to a decision thereon by LBESPA based upon written findings of fact and conclusions of law in accordance with the Louisiana Administrative Procedure Act. Ms. Batiste nonetheless hereby waives her right to formal adjudication and, pursuant to La. R.S. 49:975(D), consents to the entry of the Consent Agreement and Order set forth hereinafter. Ms. Batiste also acknowledges that she hereby waives any rights to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:951, *et seq.*, or which she otherwise may be afforded by any law to contest her agreement to, or the force and effect of the LBESPA's investigation or this Consent Agreement and Order in any Court or other forum.

IT IS HEREBY ORDERED that in consideration of the foregoing and pursuant to the authority vested in LBESPA by La. R.S. 49:975(D), LBESPA orders and Ms. Batiste accepts the following administrative action, which is a final decision pursuant to La. R.S. 49:977:

1. This Consent Agreement and Order shall replace and supersede the September 21, 2015 Consent Agreement and Order approved by the Board in this matter.
2. The license of Ms. Batiste to be engaged in the practice of Speech-Language Pathology in the State of Louisiana, as evidenced by License Number 1224 shall be, and is hereby reinstated to active status.
3. In accordance with LAC 46:LXXV §125(F), Ms. Batiste was required to provide proof of completion of fifteen (15) hours of continuing education for 2022 and 2023. In association with her request for reinstatement, Ms. Batiste provided certificates of completion to the Board evidencing sufficient continuing education hours taken in 2022 and 2023.

4. Ms. Batiste shall report the terms of this Consent Agreement and its approval to any board or agency located in the United States with which she is licensed.
5. Ms. Batiste waives any and all legal, procedural, or judicial remedies, appeals, or relief which might be available under the Administrative Procedure Act, and the statutory and procedural rules of the Louisiana Board of Examiners for Speech-Language Pathology and Audiology.

Effect of Non-Acceptance of Agreement. Ms. Batiste acknowledges that this Consent Agreement and Order is subject to the approval of the Board. If this Consent Agreement and Order is rejected by the Board, it will not constitute a waiver of Ms. Batiste's right to a hearing on the matters alleged in an Administrative Complaint and the admissions contained herein will have no effect. She further agrees that if the Board rejects this Consent Agreement and Order, the members of the Board may decide the matter after a hearing, and their consideration of this Consent Agreement and Order shall not alone be grounds for recusal 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.

THIS CONSENT AGREEMENT AND ORDER shall take effect immediately upon adoption by the LBESPA and is a matter of public record. The terms of this Consent Agreement and Order may be published and reported in, including but not limited to, the LBESPA website, the Louisiana Speech-Language Hearing Association (LSHA), the American Speech-Language Hearing Association (ASHA), and the National Practitioner Data Bank (NPDB).

THE ADMISSIONS AND FINDINGS CONTAINED HEREIN are intended solely for the purpose of resolving the case at hand or in connection with other matters before LBESPA involving Respondent, Ms. Batiste.

ORDER

The Louisiana Board of Examiners for Speech-Language Pathology and Audiology, having examined the Consent Agreement and Order, and Complaint Number 2014-03, adopt the Consent Agreement and Order in this matter on this 14th day of February, 2025.

LOUISIANA BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

Amely J. Vaughan
Board Chair

Carol Kellum
Board Vice-Chair

Deanna Hardy
Board Secretary/Treasurer

G. B. [Signature]
Board Member

Board Member

Emily Mutt
Board Member

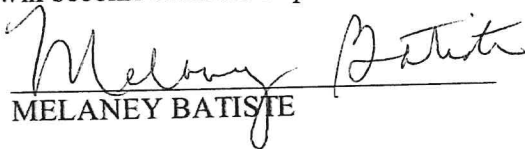
Stephen J. Harris
Board Member

I, **JAMES R. RAINES**, serving as counsel, do hereby acknowledge negotiation and preparation of this Consent Agreement and Order in order to resolve, with prejudice, all matters for which Ms. Batiste could be charged under Complaint Number 2014-03, and further certify that this Consent Agreement and Order is consistent with the evidence, adequately addresses the complaint and represents a true and correct statement of that which could be proven at a hearing of this matter.


JAMES R. RAINES

2/14/25
Date

I, Melaney Batiste, make these acknowledgements and waivers in support of a final disposition of the pending investigation of Complaint Number 2014-03 by Consent Agreement and Order pursuant to La. R.S. 49:975(D), in lieu of the institution and prosecution of formal administrative proceedings, and accordingly consent to the entirety of the Order set forth herein and further waive any right to which I may be entitled under the Louisiana Administrative Procedure Act or any other law to contest, in any court, by agreement to this Order. By my subscription hereto, I also hereby authorize any member of the discipline committee to present this Order to the LBESPA for its consideration and to disclose to and discuss with the LBESPA the nature and results of the investigation of this matter. I herein waive any objection to such disclosure based on due process of law under either the State or Federal Constitution or under State statutory law, including La. R.S. 49:977.2. I expressly acknowledge that the disclosure of such information to the LBESPA shall be without prejudice to the Prosecutor's authority to file a formal Administrative Complaint, or the LBESPA's capacity to adjudicate such Administrative Complaint, should the LBESPA decline to approve this Consent Agreement and Order. I further acknowledge my awareness that should the LBESPA approve this Consent Agreement and Order that the Consent Agreement and Order will become a matter of public record.


MELANEY BATISTE

February 1, 2025
Date

I, **MELANEY BATISTE**, have read the Consent Agreement and Order, understand it, and agree to be bound by its terms and conditions.

DATED: 2/1/2025

Melany Batiste
MELANEY BATISTE

SUBSCRIBED AND SWORN TO before me this 1 day of Feb, 2025,
at New Orleans, Louisiana.

Joshua Weis
Notary Public
Print Name: JOSHUA WEIS
My Commission Expires: UPON DEATH



JOSHUA WEIS
NOTARY PUBLIC
NOTARY No. 92143
PARISH OF ORLEANS, STATE OF LA
My Commission Is for Life