

**LOUISIANA STATE BOARD OF
SOCIAL WORK EXAMINERS**

IN THE MATTER OF

COMPLAINT NO. 2023-145

MARY ELIZABETH “BESS” HART

LICENSE NO. 11230

VOLUNTARY SURRENDER OF LICENSE

WHEREAS, MARY ELIZABETH “BESS” HART (“Ms. Hart”) is a credentialed social worker and is subject to the jurisdiction and rules and regulations of the Louisiana Social Work Practice Act (La. R.S. 37:2701, et seq.), and the Professional and Occupational Standards of the Louisiana State Board of Social Work Examiners (“Board” or “LABSWE”) (LAC 46:XXV §101, et seq.);

WHEREAS, on May 22, 2023, the Board received a complaint against Ms. Hart wherein it was alleged that Ms. Hart had a dual relationship with a client, which led to a sexual relationship with the same client after termination of services;

WHEREAS on June 12, 2023, the Board notified Ms. Hart of the complaint filed against her, provided Ms. Hart with a summary of the nature of the complaint, and requested that Ms. Hart provide a response to the complaint;

WHEREAS, by correspondence dated July 18, 2023, Ms. Hart responded to the complaint, through her attorney, giving her response to the allegations contained therein.

WHEREAS, the parties present the following facts as the basis for the Voluntary Surrender of License:

1. Ms. Hart is a Licensed Clinical Social Worker – Board Approved Clinical Supervisor (“LCSW-BACS”) licensed by the Board to engage in the practice of social work in the

Mary Elizabeth “Bess” Hart #2023-145

Initial: *MH*

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State of Louisiana pursuant to the Social Work Practice Act, La. R.S. 37:2701 et. seq., as evidenced by License Number 11230.

2. On or around May 28, 2019, Ms. Hart's client terminated services with her, and then the two entered into a romantic and sexual relationship. Ms. Hart is now living with her former client and has a child with him.

WHEREAS, the respondent, Ms. Hart, has indicated her desire to voluntarily surrender her license with LABSWE, License No. 11230;

WHEREAS, the respondent, Ms. Hart, acknowledges that the following will result due to her voluntary surrender of her LCSW-BACS license with LABSWE:

1. A report of this Voluntary Surrender of License and the conditions under which the license was surrendered shall be submitted to the National Practitioners Data Bank ("NPDB").
2. Public notification of this Voluntary Surrender of License by publishing and reporting in, including but not limited to, the LABSWE website, the Association of Social Work Boards (ASWB), and the National Practitioner Data Bank-Healthcare Integrity and Protection Data Bank (NPDB-HIPDB).
3. A five (5) year waiting period before Ms. Hart will be eligible to apply for licensure with the LABSWE.
4. In the event that Ms. Hart seeks licensure with the Board after the five (5) year period addressed above at Paragraph 3, a hearing may be held by LABSWE to afford Ms. Hart an opportunity to present evidence that she is fit to practice social work in Louisiana. After such hearing, LABSWE may deny or grant licensure, and in the event of licensure, the Board may place any conditions or restrictions on Hart's social work practice it deems appropriate.
5. In addition to any conditions or restrictions placed by the Board, if she reapplies for licensure, Ms. Hart shall meet all licensure requirements set forth at La. R.S. 37:2714(E), which includes continuing education hours and passing the Board's open book exam.
6. Ms. Hart shall pay a fine in the amount of ONE THOUSAND DOLLARS AND 00/100 (\$1000.00) within eighteen (18) months from the date all parties sign this

Voluntary Surrender of License. The payments shall be made on a quarterly basis with the first payment being due within ninety (90) days from the date all parties sign this Voluntary Surrender of License. Payment shall be made by credit card, certified check, or money order.

7. Ms. Hart shall reimburse costs associated with Complaint No. 2023-145 in the amount of ONE THOUSAND THREE HUNDRED SEVENTY-TWO AND 50/100 (\$1,372.50) within eighteen (18) months from the date all parties sign this Voluntary Surrender of License. The payments shall be made on a quarterly basis with the first payment being due within ninety (90) days from the date all parties sign this Voluntary Surrender of License. Payment shall be made by credit card, certified check, or money order.
8. Ms. Hart specifically acknowledges that failure to comply with the terms of this Voluntary Surrender of License may result in a denial of any license, certificate, or registration applied for, in accordance with La. R.S. 37:2717.

WHEREAS, Ms. Hart acknowledges that she has had the opportunity to thoroughly review the content of this Voluntary Surrender of License and that she is informed of and understands her rights to due process in connection with administrative charges, and that prior to final disciplinary action against her license, she would be entitled to have notice of a hearing on the allegations and charges asserted against her through the filing of an Administrative Complaint, and to have an administrative adjudication of such charges, at which time Ms. Hart would be entitled to be represented by legal counsel, to call witnesses and to present evidence on her own behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law pursuant to La. R.S. 49:950, *et seq.*;

WHEREAS, Notwithstanding her right to an administrative hearing and a decision thereon as provided by La. R.S. 49:975-980, in recognition of the stipulations set forth above and for the final disposition of this administrative action, Ms. Hart, nonetheless, waives her right to formal adjudication and voluntarily surrenders to the Board her license to practice as a social worker in the state of Louisiana as evidenced by License No. 11230. Ms. Hart also hereby authorizes a

member of the Disciplinary Committee or the Board attorney to present this Voluntary Surrender of License to the Board for its consideration, and to fully disclose to and discuss with the Board the circumstances of this surrender, and she waives any objection to such disclosures under La. R.S. 49:950, *et seq.*;

WHEREAS, Ms. Hart acknowledges, stipulates and agrees that the voluntary surrender of her license shall be deemed by the Board to have the same effect as if the Board had entered an order of revocation upon the conclusion of formal administrative proceedings.

WHEREAS, by the voluntary surrender of her LCSW-BACS license, Ms. Hart, moreover, acknowledges, stipulates, and agrees that she hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, or which otherwise may be afforded to her by law, to contest her agreement to, or the force and effect of this document in any Court related to the matters referred to herein;

WHEREAS, Ms. Hart acknowledges that she has had the opportunity to seek the advice and guidance of legal counsel with respect to this Stipulation;

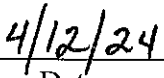
Effect of Non Acceptance of Agreement. Ms. Hart acknowledges that this Voluntary Surrender of License is subject to the approval of the Board. She further acknowledges and agrees that if the Board rejects this Voluntary Surrender of License, it will be void, and an Administrative Complaint may be filed relative to the allegations contained herein. If this Voluntary Surrender of License is rejected by the Board, it will not constitute a waiver of Ms. Hart'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 Voluntary Surrender of License, the members of the Board may decide the matter after a hearing, and their consideration of this

Voluntary Surrender of License 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.

WHEREAS, based upon the above, MARY ELIZABETH "BESS" HART surrenders her LCSW-BACS license held with the LABSWE, No. 11230.



MARY ELIZABETH HART



Date

**BOARD ORDER
AND
ACCEPTANCE OF THE VOLUNTARY SURRENDER OF LICENSE BY THE
LOUISIANA STATE BOARD OF SOCIAL WORK EXAMINERS:**

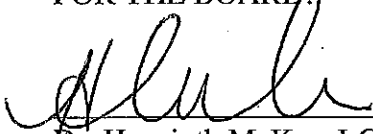
By a majority vote of the Board members voting in favor of the foregoing Voluntary Surrender of License at the Board meeting on May 17, 2024, the Board hereby adopts said Voluntary Surrender of License, and makes it an Order of this Board.

Accordingly, the Board orders as follows:

1. A report of this Voluntary Surrender of License and the conditions under which the license was surrendered shall be submitted to the National Practitioners Data Bank ("NPDB").
2. Public notification of this Voluntary Surrender of License by publishing and reporting in, including but not limited to, the LABSWE website, the Association of Social Work Boards (ASWB), and the National Practitioner Data Bank-Healthcare Integrity and Protection Data Bank (NPDB-HIPDB).
3. A five (5) year waiting period before Ms. Hart will be eligible to apply for licensure with the LABSWE.
4. In the event that Ms. Hart seeks licensure by the Board after the five (5) year period addressed above at Paragraph 3, a hearing may be held by LABSWE to afford Ms. Hart an opportunity to present evidence that she is fit to practice social work in Louisiana. After such hearing, LABSWE may deny or grant licensure, and in the event of licensure, the Board may place any conditions or restrictions on Hart's social work practice it deems appropriate.
5. In addition to any conditions or restrictions placed by the Board, if she reapplies for licensure, Ms. Hart shall meet all licensure requirements set forth at La. R.S. 37:2714(E), which includes continuing education hours and passing the Board's open book exam.
6. Ms. Hart shall pay a fine in the amount of ONE THOUSAND DOLLARS AND 00/100 (\$1000.00) within eighteen (18) months from the date all parties sign this Voluntary Surrender of License. The payments shall be made on a quarterly basis with the first payment being due within ninety (90) days from the date all parties sign this Voluntary Surrender of License. Payment shall be made by credit card, certified check, or money order.
7. Ms. Hart shall reimburse legal costs associated with Complaint No. 2023-145 in the amount of ONE THOUSAND THREE HUNDRED SEVENTY-TWO AND

50/100 (\$1,372.50) within eighteen (18) months from the date all parties sign this Voluntary Surrender of License. The payments shall be made on a quarterly basis with the first payment being due within ninety (90) days from the date all parties sign this Voluntary Surrender of License. Payment shall be made by credit card, certified check, or money order.

FOR THE BOARD:



Dr. Hyacinth McKee, LCSW-BACS, Chair