

- (16) Commits an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy[.]

PROCEDURAL HISTORY AND HEARING BEFORE THE BOARD

The Notice of Intent to Revoke (“NOIR”) informed the Respondent of his right to an evidentiary hearing on the charges and the Board received a timely request for a hearing from the Respondent. The hearing was initially scheduled for May 15, 2026 via Google Meet; however, upon review, it was determined that the Notice of Hearing (the “Original Notice”) was sent to an incorrect address. The Board obtained the correct address, and notified the Respondent that the hearing would be rescheduled for July 17, 2026 at 12:30 p.m. via Google Meet (the “Rescheduling Notice”). The Board received a signed certified mail receipt, dated June 18, 2026, executed by the Respondent, confirming his receipt of the Rescheduling Notice.

On July 17, 2026, 12:30 p.m. the Board held an evidentiary hearing, and a quorum of the Board was present. An Administrative Prosecutor was present on behalf of the State, but the Respondent failed to appear. The Board waited until 12:55 p.m. to begin the hearing, nearly half an hour after the hearing was scheduled to begin. Board staff - called the Respondent before convening the hearing. The Respondent did not answer and did not return Board staff’s call.

The State introduced Exhibit Number 1-7, which were marked, identified, and admitted into evidence. The Exhibits were as follows:

1. Notice of Hearing dated June 10, 2026 [The Rescheduling Notice]
2. Notice of Hearing dated March 20, 2026 [The Original Notice]

3. Notice of Intent to Revoke
4. Investigative Report
5. Complaint Report dated October 12, 2023
6. True Test Talbot County Circuit Court Record
7. Recording Video recorded October 12, 2023

The State elicited testimony from two witnesses, Board investigator Shelly-Ann Barnes, and the Complainant¹, which were under oath and entered into the record.

FINDINGS OF FACT

The Board makes the following Findings of Fact:

1. At all times relevant hereto, the Respondent was authorized to practice certified associate counseling - alcohol and drug (“CAC-AD”) in the State of Maryland.
2. The Respondent was originally certified to practice as a CAC-AD in the State of Maryland on December 17, 2019, under Certificate Number AC2781. The Respondent’s CAC-AD certificate is currently inactive, having expired on January 31, 2025.
3. At all times relevant hereto, the Respondent was employed at a facility (the “Facility”) located in Maryland. The Facility provides substance abuse and mental health treatment to clients.
4. On or about January 24, 2024, the Board received a complaint from a Facility employee, who had also been Respondent’s supervisor (the “Complainant”). The

¹ To comply with confidentiality and privacy laws, the names of the facility and the complainant have been withheld.

Complainant alleged in the complaint that the Respondent violently assaulted her on October 12, 2023.

5. Based on the complaint, the Board opened an investigation into the Respondent's conduct.

6. As part of the investigation, an investigator for the Board (the "Investigator") requested certified copies of relevant court records from the Circuit Court for Talbot County, Maryland (the "Circuit Court") and subpoenaed the Respondent's personnel records. The Investigator also obtained a copy of video footage from inside the Facility (the "Video"), which captured the assault.

7. The Video showed the Respondent repeatedly hitting the Complainant on various parts of her body, knocking her to the floor, and dragging her by her hair while he continued to violently assault her. The Video also showed the Respondent taking the Complainant's cell phone and the cell phone of another Facility employee.

8. On or about April 26, 2024, the Respondent entered an Alford plea² to Assault in the Second Degree in the Circuit Court.

9. On or about July 8, 2024, the Respondent received a sentence of five (5) years' incarceration, with all but eighteen (18) months suspended. The Respondent was placed on supervised probation for three (3) years and ordered to undergo mental health treatment.

² An *Alford* plea is a specialized type of guilty plea where the defendant, although pleading guilty, continues to deny his or her guilt, but enters the plea to avoid the threat of greater punishment.

DISCUSSION

Pursuant to section 17-509 of the Act, the Board may suspend, rescind, or revoke a certificate of any certificate holder, if the Board finds by a preponderance of the evidence, the certificate holder committed any of the enumerated acts. The Board considered whether the Respondent committed the following violations of the Act: is convicted of or pleads guilty or nolo contendere to a felony or a crime involving moral turpitude; or committed an act of unprofessional conduct in the practice of clinical or nonclinical counseling or therapy. *See* Md. Code Ann., Health Occ. § 17-509.

At the hearing, the State presented evidence through exhibits 1-7 and the testimony of the Investigator and the Complainant. The Complainant testified that they were the Vice President of Clinical Operations at the Facility and that their role included, in part, managing addictions counselors in the State of Maryland. Transcript pg. 20 ln. 7-9. The Complainant further testified that, on October 12, 2023, they informed the Respondent that he was being fired. Tr. pg. 22, ln. 12-14; Tr. pg. 24 ln. 23. The Complainant explained that after informing the Respondent that he was being fired, he began to yell at and punch the Complainant. The Complainant testified that during the attack, she attempted to call for help via her Apple Watch, and the Respondent then grabbed her by the wrist and dragged her across the floor in an attempt to get her watch off of her wrist. The Video presented by the State corroborated the Complainant's version of events. *See* Exhibit 7. The Complainant testified that as a result of the assault, they suffered injuries to their wrist and shoulder, both of which required surgery, and now has limited mobility in their shoulder.

Tr. pg. 29 ln. 13-20. They also testified that they have PTSD from the assault. Tr. pg. 30 ln. 1.

The Board acknowledges that, as a general proposition, Second Degree Assault does not qualify as a crime of moral turpitude. However, “in the context of a licensing board’s review of the conduct of its licensee, the concept of moral turpitude is rather broad.” *Oltman v. Maryland State Bd. of Physicians*, 162 Md. App. 457, 483 (2005). In the licensure context, “[t]he term 'moral turpitude' has been defined generally as importing 'an act of baseness, vileness or depravity in the private and social duties which a man owes to his fellow men, or to society in general, contrary to the accepted and customary rule of right and duty between man and man.'" *Attorney Grievance Comm'n of Md. v. Walman*, 280 Md. 453, 459 (quoting *Braverman v. Bar Ass'n of Balt. City*, 209 Md. 328, 344, cert. denied, 352 U.S. 830 (1956)). In *Bd. of Dental Exam'rs v. Lazzell*, the Maryland Supreme Court, then sitting as the Court of Appeals of Maryland, upheld a Final Order by the Maryland State Board of Dental Examiners which found that a dentist’s conviction for indecent exposure constituted a crime of moral turpitude. *Bd. of Dental Exam'rs v. Lazzell*, 172 Md. 314, 191 A. 240 (1937). The Court held that moral turpitude is not involved in a criminal charge “unless it is intentional or not innocent in its purpose, or not accidental[.]” that the dentist’s conduct was public and intentional, and not accidental. *Id.* at 322.

The elements of second-degree assault are: (1) that the Respondent caused offensive physical contact and (2) that the conduct was intentional or reckless, not accidental or with consent. In this case, the Respondent assaulted the Complainant, his supervisor, at the Facility during business hours. In addition to the Complainant, another Facility employee

was present at the time of the assault. The Complainant testified that no patients were present at the Facility at the time of the assault; however, because the assault occurred during business hours, a patient could have presented to the Facility while the assault was occurring. Additionally, the Board finds that the Respondent's conduct was intentional, given that the assault took place over a course of roughly five (5) minutes and occurred immediately after the Complainant informed the Respondent that he was being fired. The Respondent's actions were contrary to the accepted and customary rule of right and duty that he owes to fellow citizens. *Walman*, Md. at 459. Based on the Complainant's testimony and the Video, the Board determined that the Respondent's conduct was vile and depraved, and that the second-degree assault conviction was a crime involving moral turpitude.

The Respondent assaulted his supervisor in a counseling facility. The assault was not contained to the Respondent's office, but spilled into the hall and involved other persons at the Facility. The nature and location of the Respondent's conduct shows a violent nature and a lack of good judgment which causes him to be a serious risk to the counseling profession.

The Respondent did not appear at the hearing, and therefore did not dispute the State's allegations or present any mitigating factors.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact and Discussion, the Board concludes as a matter of law that the Respondent's conduct as described above constitutes violations of: Health Occ. § 17-509 (10) (is convicted of or pleads guilty or nolo contendere to a felony

or a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside) and § 17-509 (16) (commits an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy).

The Board's sanctioning guidelines are set forth in the Code of Maryland Regulations (COMAR) 10.58.09. Regulation .04 A. of that Chapter indicates that the Board shall impose a sanction not less severe than the minimum listed in the sanctioning guidelines or more severe than the maximum listed in the guidelines for each offense. As it relates to the violation of H.O. § 17-509 (10) and (16), the least severe sanction is a Reprimand and the most severe is a Revocation of a license or certificate. COMAR 10.58.09.06 B.

In determining an appropriate sanction in this case, the Board has considered the entirety of the record, consisting of testimony from witnesses and exhibits submitted by the State. The Board must also consider the mitigating and aggravating factors in COMAR 10.58.09.05. While the Board acknowledges that the Respondent does not have a prior disciplinary record; however, the act was committed with gross negligence or recklessness and caused serious public harm and potential patient harm. Further, the Respondent did not self-report and did not provide any evidence to show he has gained insight into the wrongfulness of his actions.

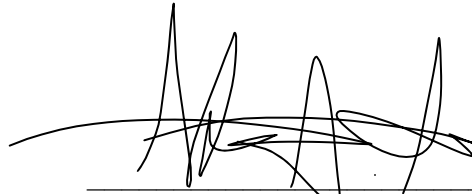
ORDER

Based on the foregoing Findings of Fact, Discussion, and Conclusions of Law, it is this 21st day of August 2026, the Board, on the affirmative vote of a majority of its members then serving:

ORDERED that the Respondent's certificate to practice as a Certified Associate Counselor - Alcohol and Drug is hereby **REVOKED**; and it is further

ORDERED that this is a Final Order and as such is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2023 Repl. Vol.) and is reportable to any entity to whom the Board is obligated to report, including the Board's public website and the National Practitioner's Database.

08/21/2026
Date

A handwritten signature in black ink, appearing to read 'Sharita Sivels-Stevens', written over a horizontal line.

Sharita Sivels-Stevens, Board Chair
Maryland State Board of
Professional Counselors and Therapists

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. §17-512 (b), the Applicant has the right to take a direct judicial appeal. Any appeal shall be filed within thirty (30) days from the date of this Final Order and shall be made as provided for judicial review of a final decision in the Maryland Administrative Procedure Act, Md. Code Ann., State Gov't §10-222; and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If the Applicant files an appeal, the Board is a party and should be served with the court's process at the following address:

Tomiloba Olaniyi-Quadri, Executive Director
Maryland Board of Professional Counselors and Therapists
4201 Patterson Avenue
Baltimore, Maryland 21215