

IN THE MATTER OF	*	BEFORE THE MARYLAND
MARIA P. MONTES, LCPC	*	BOARD OF PROFESSIONAL
RESPONDENT	*	COUNSELORS AND THERAPISTS
LICENSE NO.: LC4488	*	CASE NO: 2021- 064

* * * * *

CONSENT ORDER

The Maryland Board of Professional Counselors and Therapists (“the Board”) notified **Maria P. Montes, LCPC**, License No.: **LC4488** (the “Respondent”), of the Board’s intent to revoke her license to practice as a licensed professional counselor, under the Maryland Professional Counselors and Therapists Act (the “Act”), Md Code Ann., Health Occupations (“Health Occ.”) §§ 17-101 *et seq.* (2021 Repl. Vol.). The pertinent provisions of the Act state:

§17-509. Denial, probation, suspension or revocation of certificate applicant or holder.

Subject to the hearing provisions of § 17-511 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny trainee status, a license, or a certificate to any applicant, place any trainee, licensee, or certificate holder on probation, reprimand any trainee, licensee, or certificate holder, or suspend, rescind, or revoke the status of any trainee, a license of any licensee, or a certificate of any certificate holder if the applicant, trainee, licensee, or certificate holder:

....

- (6) Willfully makes or files a false report or record in the practice of counseling or therapy;

- (7) Makes a willful misrepresentation while counseling or providing therapy;
- (8) Violates the code of ethics adopted by the Board;
- (9) Knowingly violates any provision of this title;
-
- (12) Submits a false statement to collect a fee;
- (13) Violates any rule or regulation adopted by the Board;
-
- (16) Commits an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy[.]

COMAR 10.58.03.03 Professional Competence.

A. A counselor shall:

-
- (3) Maintain qualifications to practice counseling, including meeting the continuing education requirements established by the Board.

FINDINGS OF FACT

1. At all times relevant hereto, the Respondent was licensed to practice professional counseling.
2. The Respondent was originally issued a license to practice professional counseling in Maryland on or about June 6, 2011. The Respondent's license expires on or about January 31, 2023.

3. At all times relevant hereto, The Respondent was employed as therapist at a facility (the “Facility”) located in Maryland. The Facility provides crisis and trauma services to clients.¹

4. On or about February 23, 2021, the Board received a complaint from an Administrator (the “Complainant”) at the Facility. The Complainant alleged that the Respondent treated Facility clients and billed for services when she was not licensed.

5. An investigation conducted by Board staff revealed that the Respondent failed to renew her license to practice professional counseling before it expired on January 31, 2020.

6. An investigation conducted by Board staff also revealed that between January 31, 2020, and February 2021, the Respondent treated Facility clients and billed for services that she rendered to Facility clients during the period that her license was expired.

7. On or about February 11, 2021, the Respondent applied for reinstatement of her license. The Respondent’s license was reinstated by the Board on or about March 1, 2021.

8. In a letter to the Board dated April 6, 2021, the Respondent admitted that she allowed her license to expire. She also admitted that she treated had clients while her license was expired.

¹ The name of the Facility and the Complainant have been omitted to protect privacy. The names will be disclosed by the Administrative Prosecutor upon request.

9. The Respondent's conduct as set forth above violates Health Occ. §17-509 (6), (7), (8), (9), (12), (13), and (16) and COMAR 10.58.03.03A (3).

CONCLUSIONS OF LAW

The Board concluded that the Respondent's conduct violates Health Occ. §17-509 (6), (7), (8), (9), (12), (13) and (16), and COMAR 10.58.03.03A (3).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 16th day of September, 2022, by a majority of the full authorized membership of the Board hereby:

ORDERED that the Respondent license to practice professional counseling shall be **SUSPENDED** until the Respondent has provided satisfactory proof to the Board that she is mentally competent to practice under the Act; and it is further

ORDERED that before said suspension is lifted, the Respondent shall undergo a mental health evaluation conducted by a Board-approved mental health provider. The Respondent shall authorize release of her mental health records to the Board and the Board-approved mental health provider; and it is further

ORDERED that once the Board determines that the Respondent is mentally competent to practice under the Act, the Respondent shall be placed **PROBATION** for a period of **TWO (2) YEARS** and until the Respondent has fully and satisfactorily complied with the following terms and conditions:

- (1) Within ten (10) working days of being placed on probation, the Respondent shall provide the Board of the name and contact information of her mental health provider.
- (2) Within ten (10) working days of being placed on probations, the Respondent shall provide her mental health provider with a signed copy of the Consent Order.
- (3) The Respondent shall meet with her mental health provider. The frequency that the Respondent meets with her mental health provider shall be based on the recommendation made by her mental health provider. The recommendation **shall be for no less than once per month.**
- (4) The Respondent shall ensure that her mental health provider submits monthly reports to the Board during her probationary period.
- (5) In the event the mental health provider discontinues providing services to the Respondent for any reason, the Respondent shall immediately notify the Board and submit a replacement candidate to serve as her mental health provider under the terms specified above.
- (6) The Respondent shall pay a fine in the amount of **SEVEN HUNDRED (\$700)** by certified check or money order to the Maryland Board of Professional Counselors and Therapists.
- (7) The Respondent shall not apply to be a Board Approved Supervisor.
- (8) The Respondent shall comply with the Maryland Professional Counselors and Therapists Act and all laws, statutes and regulations pertaining thereto; and it is further

ORDERED that at the conclusion of the probationary period, the Respondent may submit a written petition to the Board requesting termination of her probation. The Respondent must submit proof that she has satisfied the probationary terms and conditions set forth in this Consent Order. The Respondent must also submit proof that

she has completed her continuing education requirements under this Consent Order. After consideration of the petition, the probation may be terminated, through an order of the Board, or a designated Board committee. The Board, or designated Board committee, may grant the termination if the Respondent has fully and satisfactorily complied with all the probationary terms and conditions under this Consent Order and there are no pending complaints; and it is further

ORDERED that if the Respondent violates any of the terms and conditions of this Consent Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing if there is a genuine dispute as to the underlying facts, or an opportunity for a show cause hearing, may impose any sanction which the Board may have imposed in this case, including probationary terms and conditions, a reprimand, suspension, revocation and/or a monetary penalty; and it is further

ORDERED that the Respondent shall be responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

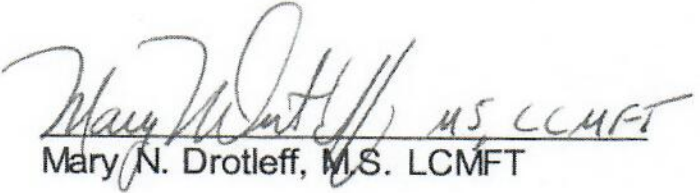
ORDERED that the effective date of this Consent Order is the date that it is signed by the Board; and it is further

ORDERED that this Consent Order is reportable to the National Practitioner Data Bank; and it further

ORDERED that this document constitutes a formal disciplinary action of the Board, and this Consent Order is final and is a public document for purposes of public disclosure, pursuant to Md. Code Ann., General Provisions § 4-101 & § 4-333 (2021

Repl. Vol.).

09/16/2022


Mary N. Drotleff, M.S. LCMFT

Board Chairperson

Maryland Board of Professional Counselors
and Therapists

MARIA P. MONTES, LCPC

I, **MARIA P. MONTES, LCPC** acknowledge that I am not represented by an attorney before entering into this Consent Order. By this Consent Order and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions. I waive any rights I may have to contest the Findings of Fact and the Conclusions of Law. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the law. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing. I sign this Consent Order, voluntarily and without reservation, after having an opportunity to

consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

9-12-22

Date

Maria P. Montes

Maria P. Montes, LCPC

NOTARY

I HEREBY CERTIFY that on this 12 day of Sept, 2022 before me, a Notary Public of the State and City/County aforesaid, personally appeared, **MARIA P. MONTES, LCPC, License Number: LC4488** and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was her voluntary act and deed.

AS WITNESS my hand and Notarial seal.

B. Nwoji

Notary Public

My Commission expires: 10-13-2025

BETH NWOJI
NOTARY PUBLIC
Prince George's County, Maryland
My Commission Expires 10/13/2025

