

IN THE MATTER OF	*	BEFORE THE MARYLAND
ASHLEY A. GUY, LCPC	*	BOARD OF PROFESSIONAL
RESPONDENT	*	COUNSELORS AND THERAPISTS
LICENSE NO.: LC79493	*	CASE NO.: 2022- 008

\* \* \* \* \*

**CONSENT ORDER**

The Maryland Board of Professional Counselors and Therapists (“the Board”) notified **Ashley A. Guy**, License No.: **LC7949** (the “Respondent”), of the Board’s intent to revoke her license to practice as a licensed clinical professional counselor (“LCPC”), in the State of Maryland, under the Maryland Professional Counselors and Therapists Act (the “Act”), codified at Md Code Ann., Health Occupations (“Health Occ.”) §§ 17-101 *et seq.* (2021 Repl. Vol. & 2022 Supp.) and the Code of Maryland Regulations (“COMAR”).

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:

.....

- (2) Habitually is intoxicated;
- (3) Provides professional services:
  - (i) While under the influence of alcohol; or

- (ii) While using any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article, or other drug that is in excess of therapeutic amounts or without valid medical indication;

.....  
(9) Knowingly violates any provision of this title;

.....  
(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.**

.....  
B. An impaired counselor shall:

- .....
- (2) Seek competent professional assistance to determine whether to suspend, terminate, or limit the scope of professional or scientific activities if a counselor becomes or is made aware that personal problems interfere with providing or conducting counseling or therapy services[.]

**COMAR 10.58.03.04 Ethical Responsibility.**

A. A counselor shall:

- (1) Consult with other counselors or other relevant professionals regarding questions related to ethical obligations or professional practice[.]

**COMAR 10.58.12.08 Supervisor Qualifications.**

A. Licensure. An individual providing supervision shall be approved by the Board and licensed by the Board as a:

- (1) Clinical professional counselor[.]

B. Experience, Education, and Training.

- (1) A Board-approved supervisor shall have completed 2 years of active clinical practice experience:
  - (a) In clinical professional counseling, marriage and family therapy, professional art therapy, or alcohol and drug counseling;
  - (b) As a clinical professional counselor, marriage and family therapist, professional art therapist, or alcohol and drug counselor licensed or certified in another state, territory or jurisdiction that has requirements that are equivalent to or exceed the requirements of Health Occupations Article, §§17-302—17-304.1, Annotated Code of Maryland; or
  - (c) As another licensed mental health care provider as defined in Regulation .02B of this chapter.
- (2) A Board-approved supervisor shall have completed one of the following education and training experiences:
  - (a) At least 3 graduate semester credit hours or the equivalent quarter credit hours of academic course work in clinical supervision;
  - (b) A Board-approved continuing education program that includes a minimum of 18 continuing education units (CEUs) in:
    - (i) Clinical professional counseling supervision; or
    - (ii) Another behavioral health profession that is authorized to diagnose and treat mental and emotional disorders;
  - (c) The National Board of Certified Counselors (NBCC) Approved Clinical Supervisor (ACS) credential; or
  - (d) Supervision training as defined in Regulation .02B of this chapter.
- (3) Supervision training required by this section may be obtained in a graduate course or a continuing education program as required under §B(2)(b) of this regulation that may include, but is not limited to:
  - (a) The role and responsibilities of the supervisor;

- (b) The needs of the supervisee, supervisor, and the agency setting while maintaining a clear ethical perspective, including:
    - (i) The maintenance of appropriate boundaries; and
    - (ii) Making clinically appropriate diagnoses;
  - (c) The role of the supervisor as gatekeeper to the profession;
  - (d) Methods for building effective and appropriate relationships with clients;
  - (e) Models for group supervision; and
  - (f) Models and modalities for practice intervention.
- C. Pre-Supervision Responsibilities of a Supervisor. In addition to meeting the requirements of this regulation, the Board-approved supervisor shall:
- (1) File the completed Board-approved supervisor application form;
  - (2) Provide the supervisee with a copy of the Board's licensed clinical professional counselor supervisor letter; and
  - (3) Have an active license that is without restrictions or conditions due to disciplinary action for the 2 years preceding an application for Board-approved supervisor status.

#### **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 as a licensed clinical professional counselor in Maryland on or about June 19, 2017. The Respondent's license expires on or about January 31, 2025.

3. At all times relevant hereto, the Respondent worked as a mental health clinician at a facility (the "Facility") that provides individual and group counseling to adults and children in Maryland.

4. The Respondent began working at the Facility in 2017.

5. In or around 2021, the Respondent began providing clinical supervision to at least one licensed graduate professional counselor ("LGPC") who works at the Facility. The Respondent is not approved by the Board to provide clinical supervision.

6. On or about July 26, 2021, the Board received a complaint from a Facility co-worker of the Respondent (the "Complainant"). The Complaint is also a licensed clinical professional counselor.

7. The Complainant alleged in the complaint that the Respondent told him on several occasions between May and July 2021 that she did not feel emotionally stable enough to practice as a counselor or to provide supervision. The Complainant also alleged that he observed the Respondent on several occasions acting erratically and exhibiting mood swings. The Complainant further stated in his complaint that he believed that the Respondent used marijuana daily, used cocaine, disclosed her marijuana use to clients, and smoked marijuana around minors.

8. On or about August 4, 2021, the Complainant informed the Board that the Respondent had sent him one email that was sexually suggestive and another email that suggested that she was threatening to commit suicide.

9. After receiving the Complainant's complaints, an investigation was conducted by Board staff.

10. On or about September 23, 2021, the Respondent was interviewed under oath by Board staff.

11. The Respondent admitted under oath to using marijuana daily between April 2021 through August 2021, drinking alcohol daily before the end of August 2021, vaping marijuana in front of minors, and discussing her illicit marijuana use with clients.

12. The Respondent also admitted under oath that she provided supervision to a Facility LGPC without first obtaining Board approval. The Respondent acknowledged during the interview that she knew that she was required to obtain approval from the Board before providing supervision. The Respondent indicated that she did not submit an application to become a board-approved supervisor because she had not completed the required education and training requirements.

13. On March 1, 2022, the Board required the Respondent to undergo a mental health examination provided by a mental health provider pursuant to its authority under Health Occ. § 17-513.1 (a).<sup>1</sup>

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<sup>1</sup> The pertinent section of Health Occ. §17-513.1. states:

(a) *In general.* If, while reviewing an application for licensure, certification, or trainee status, or investigating an allegation against a licensee, certificate holder, or trainee under this title, the Board finds reasonable evidence indicating that the applicant, licensee, certificate holder, or trainee may cause harm to a person, the Board shall require the applicant, licensee, certificate holder, or trainee to submit to a mental health or physical examination by a health care practitioner, as defined in § 1-301 of this article, designated by the Board.

14. On or about March 18, 2022, the Respondent was evaluated and examined by a mental health provider selected by the Board. Following the mental health provider's evaluation and examination which also included information provided by the Respondent, the mental health provider submitted a report to the Board dated March 18, 2022.

15. The report stated that during the mental health provider's interview, the Respondent provided the following history of her drug and alcohol usage:

- a. Began using alcohol at age nineteen weekly primarily on weekends. Used marijuana approximately six (6) times between the ages of twenty and thirty.
- b. Began using marijuana daily in 2021 to help with depression and anxiety.
- c. Began using cocaine and Percocet in 2021.

16. The mental health provider diagnosed the Respondent with personal disorder; anxiety disorder; major depressive disorder; opioid used disorder; and cocaine disorder.

17. The mental health provider concluded that the Respondent could practice but she has "risks factors requiring continued treatment and monitoring to her remain fit for duty and protect the public simultaneously".

18. The Respondent's conduct as set forth above violates Health Occ. §17-509 (2), (3), (9), (13), and (16); and COMAR 10.58.03.03B(2); and COMAR 10.58.03.04A(1); COMAR 10.58.12.08 A and B.

**CONCLUSIONS OF LAW**

The Board concludes that the Respondent is in violation of Health Occ. §17-509 (2), (3), (9), (13), and (16); and COMAR 10.58.03.03B(2); and COMAR 10.58.03.04A(1); COMAR 10.58.12.08 A and B.

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 15<sup>th</sup> day of December, 2023, by a majority of the full authorized membership of the Board hereby:

**ORDERED** that the Respondent's license shall be **SUSPEND FOR A PERIOD OF NOT LESS THAN SIX (6) MONTHS**; and it is further

**ORDERED** that the Respondent shall undergo a mental health evaluation conducted by a Board-approved mental health provider before the Board will determine if she is competent to practice under the Act. The Respondent shall authorize release of her mental health records to the Board and the Board-approved mental health provide; and it is further

**ORDERED** that Respondent shall be evaluated by a Board Approved mental health provider within sixty (60) days of the date of this Consent Order; and it is further

**ORDERED** that the said suspension shall remain in effect even if the Board determines that the Respondent is mentally competent to practice under the Act; and it is further



**ORDERED** that following the active six (6) month period of said suspension, 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) The Respondent shall enroll in and successfully complete a Board-approved ethics course and any other continuing education credits required by the Board. The ethics course and any other continuing education credits required under this Consent Order shall not be used to satisfy the continuing education requirements for the applicable 2-year licensure renewal period.
- (2) The Respondent shall practice under the supervision of a Board approved Supervisor.
- (3) Within ten (10) days of being placed on probation, the Respondent shall provide the Board approved Supervisor with a signed copy of this Consent Order.
- (4) The Respondent shall meet with a Maryland Board Approved Supervisor a minimum of once a month.
- (5) The Respondent shall ensure that the Board approved Supervisor submits quarterly reports to the Board during her probationary period.
- (6) The Respondent shall immediately notify the Board if the Board approved Supervisor for any reason is unable to perform the duties of a Board approved Supervisor.
  
- (7) The Respondent shall meet with her mental health provider. The Respondent shall provide her mental health provider with a copy of this Consent Order. 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 at least once per month.**

(8) The Respondent shall provide the Board with name and contact information for her mental health provider within ten (10) days of the date of this Consent Order.

(9) The Respondent shall ensure that her mental health provider submits quarterly reports to the Board.

(10) 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.

(11) The Respondent shall not serve or continue to serve as a Board Authorized Sponsor, presenter and/or trainer of professional counseling continuing education learning activities, an Ethics Tutor, an evaluator for the Board, or a Board Approved Supervisor for a period of five (5) years from the effective date of this Consent Order.

(12) 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 to the Board that she has satisfied the probationary terms and conditions set forth in this Consent Order. The Respondent must also submit proof to the Board that she has completed his continuing education requirements under the terms set forth in this Consent Order.

**ORDERED** that 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 her probation and 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 may be reportable to the National Practitioners' 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 et seq. (2023 Repl. Vol.).

12/15/23

Date




Winne Moore, LCPC  
Board Chair  
Maryland Board of Professional Counselors and  
Therapists

**ASHLEY A. GUY, LCPC**

I, **ASHLEY A. GUY** acknowledge that I have been 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.

12/8/23  
Date



Ashley A. Guy, LCPC

**NOTARY**

I HEREBY CERTIFY that on this 8<sup>th</sup> day of December, 2023

before me, a Notary Public of the State and City/County aforesaid, personally appeared, **ASHLEY A. GUY, LCPC, License Number: LC7949** 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.

MYESHA D. THOMPSON  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires March 12, 2024

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Notary Public

My Commission expires: March 12, 2024