

IN THE MATTER OF	*	BEFORE THE MARYLAND STATE
MOLLY C. (CRUSE) MAHONEY	*	BOARD OF PROFESSIONAL
CSC-AD Applicant	*	COUNSELORS AND THERAPISTS
	*	CASE NUMBER: 2024-045

* * * * *

CONSENT ORDER

On or about December 15, 2023, the Maryland State Board of Professional Counselors and Therapists (“the Board”) notified **MOLLY C. (CRUSE) MAHONEY** (“the Applicant”) of the Board’s intent to deny her application to practice as a Certified Supervised Counselor – Alcohol and Drug (“CSC-AD”) pursuant to the Maryland Professional Counselors and Therapists Practice Act (“the Act”), codified at Md. Code Ann., Health Occ. §§ 17-101 *et seq.* (2021 Repl. Vol. and 2023 Supp.).

Specifically, the Board bases its action on the following provisions of the Act:

Health Occ. § 17-404. Certification; supervised counselor–alcohol and drug.

- (a) To qualify as a certified supervised counselor-alcohol and drug, an applicant shall:
 - (1) Be of good moral character[.]

Health Occ. § 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 a license or certificate to any applicant, place any licensee or certificate holder on probation, reprimand any licensee or certificate holder, or suspend or revoke a license of any licensee or a certificate of any certificate holder if the applicant, licensee, or certificate holder:

- (14) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board’s disciplinary statutes; *to wit*,

Health Occ. § 17-509:

- (3) Provides professional services:

- (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;

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

Prior to the evidentiary hearing on the Notice of Intent to Deny Application to Practice as a Supervised Counselor-Alcohol and Drug, the Applicant, represented by counsel, and the Administrative Prosecutor entered into negotiations to resolve the case in lieu of an evidentiary hearing. As a result of negotiations, the parties agreed to the following Consent Order consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

The Board finds the following:

1. In September 2017, the Board granted the Applicant’s initial authorization to practice as an Alcohol and Drug Trainee (“ADT”). On or about August 13, 2021, the Board granted the Applicant’s renewal authorization to practice as an ADT.
2. The Applicant’s ADT status expired on September 30, 2023.
3. On or about August 9, 2023, the Board received the Applicant’s Certified Supervised Counselor – Alcohol and Drug Application (“Application”).

4. On the Application, the Applicant answered “yes” to the question: “Has any state licensing or disciplinary board ever taken any disciplinary action against your license or certification, including, but not limited to, charges, admonishment, reprimand, revocation, or suspension?”
5. The Application instructs applicants who answered “yes” to the question to “attach a separate page with a complete explanation of each occurrence (include date, time, location, disposition, etc.) and a *certified* copy of the disciplinary/court document from the issuing agency.”
6. The Applicant provided a copy of an Order for Summary Suspension of Registered Nursing License and Notice of Disciplinary Charges Under the Maryland Nurse Practice Act issued by the Maryland Board of Nursing (“MBON”) on May 8, 2015, which summarily suspended the Applicant’s Maryland registered nurse (“RN”) license. On May 26, 2015, the MBON held a Show Cause hearing to give the Applicant an opportunity to present argument as to why the MBON should not continue the summary suspension of her RN license. The Applicant failed to attend the Show Cause hearing. On May 28, 2015, the MBON issued an Order Continuing Summary Suspension of Registered Nurse License.
7. The Applicant failed to request an evidentiary hearing and on April 20, 2016, the MBON issued a Default Decision and Order of Revocation of Registered Nursing License (“2016 Default Order”). The MBON 2016 Default Order adopted the allegations of fact delineated in the MBON’s charging document. As such, the MBON 2016 Default Order made the following Findings of Fact, among others:

- a. On August 26, 1991, the Applicant was issued a Registered Nurse (“RN”) license, license number R111469, in the State of Maryland.
 - b. On or about August 10, 2009, the Applicant self-reported to the MBON that while working at a Maryland hospital, over a period of five (5) months, she diverted Percocet from the hospital’s pyxis system for her own personal use.
 - c. On or about September 2, 2009, the Applicant entered the MBON’s voluntary Rehabilitation Program.¹
 - d. By letter dated February 13, 2015, the Applicant was notified by the MBON that she was expelled from the Rehabilitation Program due to non-compliance including:
 - i. failing to provide the Board with quarterly self-reports;
 - ii. failing to ensure that required quarterly reports were submitted by her employer and her treatment program;
 - iii. failing to submit to monthly toxicology screening;
 - iv. testing positive for alcohol 1x;
 - e. In addition, on February 4, 2015, the Applicant’s employer notified the Board that the Respondent was diverting medication and provided video evidence for confirmation.
 - f. On February 12, 2015, in a meeting with the Rehabilitation Committee, the Applicant admitted to diverting medication and stated that she had relapsed as of October 2014.
8. On February 18, 2020, the MBON issued an Order of Reinstatement of Registered Nurse License to Inactive Status (“2020 Reinstatement Order”). According to the 2020 Reinstatement Order, on or about September 29, 2019, the Applicant submitted a request to the MBON to reinstate her license to practice as an RN to inactive status for the purpose of completing a Board-approved nursing refresher course. The 2020 Reinstatement Order ordered that the Applicant’s license be

¹ Effective October 1, 2017, the Rehabilitation Program was renamed as the Safe Practice Program.

reinstated to inactive status for a period no longer than one (1) year from the date of the order for the limited purpose of completing a Board-approved RN refresher course. The document added: “if the [Applicant] fails to submit written proof that she successfully completed a Board-approved refresher course within ONE (1) YEAR from the date of this Order, this Order shall have no further force or effect, and the [Applicant’s] RN license will revert back to revoked status[.]” According to the MBON’s online license verification system, the **Applicant’s Maryland RN license is currently revoked.**

9. The Applicant provided a written statement with her CSC-AD Application titled “Occurrences Leading to Maryland RN License Suspension.” The Applicant wrote:
 - a. in August 2009, I was fired from my position as an RN at [Hospital] in Baltimore, MD for diverting Percocet from the Pyxis and taking it myself. About 5 months prior I had a prescription that I took after childbirth and quickly became addicted/dependent. I self-reported to the MD Board of Nursing (MDBON) and entered their rehabilitation program in September 2009, I was to attend their outpatient treatment program and adhere to monthly random toxicology screens.
 - b. On February 3, 2015, I was fired from my position as an RN at [Ambulatory Surgery Center] for diverting Dilaudid. I had relapsed on opioids approximately 3 months prior. I was reported to MDBON and subsequently my license was suspended.
 - c. Between 2009-2015 I had been intermittently compliant with the terms of my MDBON Rehabilitation Agreement, missing many toxicology screens and progress reports. I entered intensive outpatient rehabilitation at [Treatment Center] in February 2015 and completed it successfully in April 2015. I then transferred to a local medication assisted treatment center and was treated with methadone until successfully tapering off in September of 2020. I have been successful in my recovery since February 2015.

10. On April 19, 2024, a Case Resolution Conference (“CRC”) was held before a committee of the Board. During the CRC, the Applicant explained that she has engaged in significant efforts at rehabilitation since her Board of Nursing 2016 Default Order. These efforts include completing a substance use treatment program in 2015, successfully tapering off medication-assisted treatment in 2020, obtaining ADT certification, and consistently working in the field to help others struggling with addiction. The Applicant explained that she has expanded her support system to include the community at her weightlifting gym.
11. Following the CRC, the Applicant provided numerous letters of support and reference from her employer and her community.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Applicant’s conduct as described above constitutes violations of the Act and a basis on which to deny the Application. Specifically, the Applicant’s prior health occupations disciplinary action constitutes grounds to deny the Application under Health Occ. § 17-404(a)(1) (To qualify as a certified supervised counselor-alcohol and drug, an applicant shall: Be of good moral character)) and § 17-509(14) (Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board’s disciplinary statutes) in that the Applicant violated Health Occ. § 17-509(3)(ii) and (16).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 6th, day of November, 2024, by a majority of the Board considering this case, hereby:

ORDERED that the Applicant's application to practice as a certified supervised counselor - alcohol and drug ("CSC-AD") is hereby **GRANTED**; and it is further

ORDERED that the Applicant's certificate to practice as a CSC-AD in the State of Maryland is placed on **PROBATION** for a period of no less than **TWO (2) YEARS** beginning on the effective date of this Consent Order subject to the following terms and conditions:

1. The Applicant's license to practice as a certified supervised counselor - alcohol and drug will be listed in the Board's electronic records and on the Board's website as being on "Probation";
2. The Applicant shall obtain a Board-approved supervisor;
3. The Applicant shall provide written copies of this Consent Order to the Board-approved supervisor and her employer and provide documentation of their receipt;
4. The Applicant shall meet with the Board-approved supervisor at a minimum of one session per month, for a minimum of one hour per session;
5. The Applicant shall ensure that the Board-approved supervisor submits timely quarterly written reports to the Board detailing the supervision provided and evaluating the Applicant's practice, with particular attention to professional ethics, documentation, and record-keeping;
6. In the event that the Board-approved supervisor discontinues supervising the Applicant's practice for any reason during the probationary period, the Applicant shall notify the Board within 30 days of the change. The Applicant shall be solely responsible for securing a new Board-approved supervisor and providing the Board

with the new supervisor's contact information and documentation of the new supervisor's receipt of the Consent Order;

7. In the event that the Applicant's employment changes for any reason during the probationary period, the Applicant shall notify the Board within 5 days of the change. Upon obtaining new employment, the Applicant shall provide the Board with the new employer's contact information and documentation of the new employer's receipt of the Consent Order;
8. The Applicant shall, at all times, comply with the Act and all applicable laws, statutes and regulations;
9. The Applicant shall, at all times, cooperate with the Board, any of its agents or employees, and with the Board-assigned investigator, in the monitoring, supervision, and investigation of the Applicant's compliance with the terms and conditions of the Consent Order;
10. If the Board determines that the terms or conditions of this Order have not been successfully completed, the Board may modify the terms and conditions of Applicant's probation, upon notice to the Applicant;
11. A negative report from the Board-approved supervisor or any failure to comply with the Board-approved supervisor 's recommendations shall be deemed a violation of probation or of this Consent Order;
12. If the Applicant allegedly fails to comply with any term or condition of the Consent Order, the Applicant shall be given notice and an opportunity for a hearing. If, in its sole discretion, the Board determines that there is a genuine dispute as to a material fact, the hearing shall be an evidentiary hearing before the Board. If there is no genuine dispute as to a material fact, the Applicant shall be given a show cause hearing before the Board;
13. If, after the appropriate hearing, the Board determines that the Applicant has failed to comply with any term or condition of the Consent Order, the Board may reprimand the Applicant, continue the probationary status with appropriate terms and conditions, or suspend or revoke the Applicant's certificate to practice as a CSC-AD in Maryland. The Board may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon the Applicant; and it is further

ORDERED that the Applicant shall be responsible for all costs incurred under the

terms and conditions of the Consent Order; and it is further

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

ORDERED that there shall be no early termination of the probation imposed by this Consent Order. After **TWO (2) YEARS** from the effective date of this Consent Order has passed, the Board will consider a petition for termination of the Applicant's probationary status, provided that the Applicant has been compliant with all of the probationary terms of this Consent Order; and it is further

ORDERED that the Consent Order is a Final Order and as such is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2019 Repl. Vol. and 2023 Supp.).

11/06/2024

Date



Winnie D. Moore, LCPC
Board Chair
Maryland State Board of Professional
Counselors and Therapists

CONSENT

I, Molly (Cruse) Mahoney, by affixing my signature hereto, acknowledge that:

1. I am represented by counsel, Saamia Dasti, Esquire, and I have consulted with counsel in this matter. I have knowingly and voluntarily agreed to enter into this Consent Order. By this Consent 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.
2. I have knowingly and voluntarily agreed to enter into this Consent Order. By this Consent 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.

3. I am aware that I am entitled to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 17-511 (2021 Repl. Vol. and 2023 Supp.) and Md. Code Ann., State Gov't §§ 10-201 *et seq.* (2021 Repl. Vol. and 2023 Supp.).
4. I acknowledge the validity and enforceability of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have 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 as provided by law. I am waiving those procedural and substantive protections.
5. I voluntarily enter into and agree to abide by the terms and conditions set forth herein as a resolution of the Notice of Intent to Deny Application to Practice as a Certified Supervised Counselor - Alcohol and Drug against me. I waive any right to contest the Findings of Fact and Conclusions of Law, and I waive my right to a full evidentiary hearing, as set forth above, and any right to appeal this Consent Order or any adverse ruling of the Board that might have followed any such hearing.
6. I acknowledge that by failing to abide by the conditions set forth in this Consent Order, I may be subject to further disciplinary actions.
7. I sign this Consent Order voluntarily, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

11/4/24
Date


Molly (Cruse) Mahoney, Applicant

NOTARY

STATE OF Maryland

CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 4th day of November,

2024, before me, a Notary Public of the State and City/County aforesaid, personally appeared Molly (Cruse) Mahoney, Applicant, and gave oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS, my hand and Notary Seal.



Notary Public

My Commission Expires: 9/15/2028

