

IN THE MATTER OF	*	BEFORE THE MARYLAND
CHRISTEN DRESSEL, LCPC	*	STATE BOARD OF PROFESSIONAL
Respondent	*	COUNSELORS AND THERAPISTS
License No. LC6510	*	Case Number: 2018-005

* * * * *

PRECHARGE CONSENT ORDER OF REPRIMAND

In July of 2017, the Maryland State Board of Professional Counselors and Therapists (the "Board") initiated an investigation of Christen Dressel, LCPC, License Number LC6510 (hereinafter referred to as the "Respondent"). Based on its investigation, the Board voted to offer a Pre-Charge Consent Order of Reprimand to the Respondent, in lieu of issuing Charges for violations of the Maryland Professional Counselors and Therapists Act (the "Act"), codified at Md. Code Ann., Health Occ. ("Health Occ.") §§ 17-101 *et seq.* (2014 Repl. Vol. & 2017 Supp.), and the regulations adopted by the Board, at Md. Code Regs. ("COMAR") §§ 10.58.01 *et seq.*

Specifically, the Board determined that the Respondent violated the following provisions of the Act and COMAR:

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 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:

[...]

(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;

[...]

(11) Is professionally, physically, or mentally incompetent;

(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 10.58.03.04. Ethical Responsibility.

A. A Counselor shall:

(1) Consult with other counselors or other relevant professionals regarding questions related to ethical obligations or professional practice;

(2) Take credit only for professional work actually performed;

[...]

(7) Maintain accurate records;

[...]

(11) Be familiar with and adhere to this chapter[.]

B. A Counselor may not:

[...]

(3) Participate in dishonest, fraudulent, or deceitful activity in the capacity of a counselor[.]

COMAR 10.58.03.11. Sanctions.

[...]

E. A counselor who does not comply with this chapter shall be in violation of Health Occupations Article § 7-313, Annotated Code of Maryland, and subject to disciplinary sanctions.

F. A lack of knowledge, or misunderstanding of an ethical responsibility, is not a defense against a charge of unethical conduct.

The Board offered the Respondent an opportunity to settle this matter rather than pursuing formal charges against the Respondent. As a result of that offer, the Respondent and the Board agreed to the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. On or about July 29, 2015 the Respondent was issued a license to practice in the State of Maryland as a Licensed Clinical Professional Counselor (LCPC) under License No. LC6510. Respondent's license is active through January 31, 2025.
2. From approximately September of 2013 to April of 2017. the Respondent was employed at an In-Home Outpatient Mental Health Facility ("the Facility
3. As a therapist, the Respondent's duties included intake assessment, risk assessment, treatment planning, regular in-home visits, transporting clients to psychiatric appointments, case management, and crisis monitoring
4. On or about July 14, 2017, the Board received a complaint from the Respondent's Supervisor ("The Complainant") at the Facility.
 - a. The Complaint alleged that the mother of one of Respondent's client's ("Client's Mother") requested a change in therapists due to not getting regular appointments at an acceptable frequency.

- b. The Complainant reviewed the electronic medical records for the Patient and found over 20 documented sessions in two months with the client. These appointments were documented and reported by the Respondent.
 - c. After meeting with the Client's Mother, the Director of the Facility ("the Director") and the Complainant were only about to confirm six (6) appointments out of the 20 appointments that were documented.
 - d. The Client's Mother also stated that the Respondent "never spent over 30 minutes with the client," which was inconsistent with the Respondent's documentation.
 - e. The Client's Mother also provided text messages between the Respondent and the Client's Mother cancelling sessions due to illness on days that the Respondent had documented therapeutic sessions.
 - f. After meeting with the Client's Mother, the Facility placed the Respondent on suspension, pending the outcome of the investigation.
5. On or about April 20, 2017, the Directors of the Facility met with the Respondent to discuss the billing discrepancies that were found during the Facility's investigation. As a result of that meeting, the Facility terminated the Respondent's employment and to provide copies of all text messages sent

between the Respondent and her clients. The Facility alleged that there were additional billing discrepancies found after reviewing the text messages.

6. As a result of the Complaint, the Board initiated investigation No. 2018-005.

7. On or about November 11, 2022, the Respondent sent the Board a formal, written response to the Complaint.

a. The Respondent explained that the Facility was her first experience meeting clients for ongoing mental health services, and was hired immediately upon obtaining her license as an LGPC. The Facility was also the first time Respondent was responsible for medical billing and documentation.

b. The Respondent stated that when the Facility hired her, she was told that she would receive adequate supervision regarding client protocols and billing practices. Specifically, Respondent was promised weekly supervision from an LCSW-C and a minimum of bi-weekly supervision from a Board-Approved LCPC. Respondent was informed of these supervision accommodations prior to accepting employment.

c. Respondent stated that during her employment, she made multiple attempts to contact the Board-Approved LCPC assigned to supervise her, but was unsuccessful. Respondent also stated that the LCSW-C originally assigned to supervise her became pregnant during the supervisory period and as a result, cancelled multiple sessions, resulting in only approximately one to

two sessions per month. Respondent made sure to notify the Facility of the lack of supervision.

d. Respondent also believed that her supervisors would review her documentation prior to billing and payment.

e. As a result of the lack of supervision, the Respondent instead relied on informal, often inaccurate advice from her fellow clinicians.

f. Respondent also cited the case load at the Facility as a contributing factor to her inaccurate billing, stating that “LCPCs and LCSW-C’s [employed at the Facility]...were pressured by Facility management to continue taking on clients despite being wary to assess client in certain locations, client’s [*sic*] demonstrating concerning and dangerous behaviors, or having a heavy case load to the point of things becoming unmanageable. My full schedule along with client’s [*sic*] frequently changing schedules and needs, as well as my need for better organization led to changes in scheduled appointments. I did my best to maintain consistent client care and inform [the Facility] about the unreasonable caseload. I was frequently doing case notes late into the night (2 a.m. or 3 a.m. was not unusual). This most likely contributed to some discrepancies.”

6. Following her termination from the Facility, the Respondent ensured that she recognized the need for education and guidance, and met with management and her new supervisor to ensure there were no issues and/or discrepancies with her billing.

7. As part of the investigation, the Board subpoenaed the Facility's employment and supervision records for the Respondent. The Facility's supervision records and performance evaluations were consistent with the Respondent's description of frequency and content. The Respondent's Performance Evaluation did not contain any references to billing practices or disputes. The notes for Respondent's last supervisory session also did not contain any specific notes regarding the Respondent's billing practices.

8. The Board also received a copy of the Respondent's Summary of Responsibilities Contract from the Facility. The Contract includes the statement that "If the Therapist/Clinician is an LGSW or LGPC, Individual supervision will occur on a weekly basis, and group supervision is offered two times a month."

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds as a matter of law that the Respondent's conduct, as described above, constitutes a violation of §17-509 (7); (8); (9); (11); (12); (13); and (16). In addition, the Board finds as a matter of law that Respondent's conduct as described above constitutes a violation of COMAR 10.58.03.04(A)(1); (2); and (7); 10.58.03.04(B)(3); 10.58.03.11(E); and 10.58.03.11(F).

ORDER

Based on the foregoing Findings of Facts and Conclusions of Law, it is hereby, by a majority of the Board members considering this case:

ORDERED, that the Respondent's license to practice as a Licensed Clinical Professional Counselor in the state of Maryland is here by **REPRIMANDED**; and it is further

ORDERED, that the Respondent's license shall be placed on **IMMEDIATE PROBATION** for a minimum period of **ONE (1) YEAR**. During probation, the Respondent shall comply with the following terms and conditions of probation:

1. Respondent shall engage a Board Pre-Approved supervisor, and shall present the Supervisor with a signed copy of this Pre-Charge Consent Order within **FIVE (5) BUSINESS DAYS** from the start of Respondent's Probation. Respondent shall provide the Board with written documentation of his Supervisor's receipt of this Pre-Charge Consent Order.
2. Respondent shall meet with her Board-Approved Supervisor at a **MINIMUM OF ONCE A MONTH**.
3. In the event that the Respondent's Supervisor discontinues supervision for any reason during the probationary period, the Respondent shall immediately notify the Board. The Respondent shall be solely responsible for submitting a request for a Board-approved replacement Supervisor.
4. During Probation, Respondent shall enroll in and complete a Board-Pre-Approved Continuing Education Course focused on Recordkeeping and Billing. Respondent shall submit written documentation of her completion of the Course to the Board within **SIX (6) MONTHS** of the effective date of this order.
5. Respondent shall pay a monetary fine to the Board in the amount of **FIVE HUNDRED DOLLARS (\$500.00)**, to be paid in completion by the end of the Probationary Period; and it is further

ORDERED, that after the minimum term of Probation, and if the Respondent has complied with all terms and conditions of probation imposed by this Consent Order, the Respondent may submit a written petition for termination of probation. Upon consideration of the petition, the Respondent's probation may be administratively terminated through an Order of the Board if the Respondent has complied with all probationary terms and conditions; and it is further

ORDERED, that the Respondent shall, at all times, comply with the Act and all applicable laws, statutes, and regulations; and it is further

ORDERED, that if the Board determines that the terms and conditions of this Pre-Charge Consent Order have not been successfully completed, the Board may modify the terms and conditions of the Respondent's Probation, upon notice to the Respondent; and it is further

ORDERED, that if the Respondent allegedly fails to comply with any term or condition of this Pre-Charge Consent Order, the Respondent 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 Respondent shall be given a show cause hearing before the Board; and it is further

ORDERED, that after the appropriate hearing, if the Board determines that the Respondent has failed to comply with any term or condition of this Pre-Charge Consent Order, the Board may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend or revoke the Respondent's license to practice as a clinical professional counselor in the State of Maryland. The Board may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon the Respondent; and it is further

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

ORDERED, that the Effective Date of this Pre-Charge Consent Order is the date that it is signed by the Board; and it is further

ORDERED, that for the purposes of public disclosure, this Pre-Charge Consent Order is considered a **PUBLIC DOCUMENT**, pursuant to Md. Code Ann., Gen. Prov. §§ 4-501 *et seq.* (2014) 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.

10/20/2023

Date



Mary N. Drotleff, M.S. LCMFT

Acting Executive Director
Maryland State Board of
Professional Counselors and Therapists
4201 Patterson Avenue
Baltimore, Maryland 21215-2299

CONSENT

I, CHRISTEN DRESSEL, LCPC, acknowledge that I am represented by counsel and have consulted with counsel before entering into this Pre-Charge 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 Pre-Charge Consent Order and its conditions.

I acknowledge the validity of this Pre-Charge 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 agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Pre-Charge Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed after any such hearing.

I sign this Pre-Charge Consent Order after having an opportunity to consult with counsel, voluntarily and without reservation, and I fully understand and comprehend the language, meaning and terms of this Pre-Charge Consent Order.

10/13/2023
Date

Christen Dressel LCPC
Christen Dressel, LCPC
Respondent

NOTARY

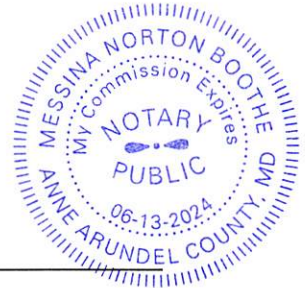
STATE OF MARYLAND
CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 13 day of October, 2023,
before me, a Notary Public of the foregoing State and City/County did personally appear,
CHRISTEN DRESSEL, LCPC, and made oath in due form of law that signing the foregoing
Pre-Charge Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notary seal.



Notary Public



My commission expires: June 13, 2024