

IN THE MATTER OF
DEBORAH REID

Applicant

* BEFORE THE MARYLAND STATE
* BOARD OF PROFESSIONAL
* COUNSELORS AND THERAPISTS
* Case Number: 2022-074

* * * * *

FINAL ORDER

On or about February 17, 2023, the Maryland State Board of Professional Counselors and Therapists (the “Board”) notified **DEBORAH REID** (the “Applicant”), of the Board’s intent to deny her Certified Supervised Counselor – Alcohol and Drug Application to practice as a under the Maryland State Board of Professional Counselors and Therapists Act (the “Act”), codified at Md. Code Ann., Health Occ. §§ 17-101 *et seq.* (Repl. Vol. 2021).

The Notice also informed the Applicant that, unless he requested a hearing in writing within thirty (30) days of service of the Notice, the Board would sign the Final Order, which was enclosed. More than thirty (30) days have elapsed, and the Applicant failed to timely request a hearing.

Specifically, the Board bases its intent to deny on the following:

Health Occ. § 17-509. Denial, probation, suspension or revocation of trainee status, license, or certificate.

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:

- (1) Fraudulently or deceptively obtains or attempts to obtain trainee status, a license, or a certificate for the applicant, trainee, licensee, or certificate holder or for another;
- (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;

FINDINGS OF FACT

The Board makes the following Findings of Fact:

I. ADT Authorization

1. On or about April 16, 2015, the Board received the Applicant's application for Alcohol and Drug Trainee authorization ("ADT Application").

2. The Board issued the Applicant an Alcohol and Drug Trainee authorization letter on July 9, 2015. The Applicant's ADT authorization expired on July 31, 2021.

II. Certified Supervised Counselor – Alcohol and Drug Application

3. On or about July 28, 2021, the Board received the Applicant's application for Certified Supervised Counselor - Alcohol and Drug ("CSC-AD Application").

4. In her CSC-AD Application, the Applicant answered "No" to question 1, which asked, "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 CSC-AD Application instructed the Applicant 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 initially failed to submit any additional documents with her CSC-AD Application.

7. A review of the National Practitioner Database records revealed that the Maryland Board of Nursing (“MBON”) had revoked the Applicant’s nursing license on September 14, 2010 and then subsequent to reinstatement, on October 27, 2012, the Applicant voluntarily surrendered her registered nurse and licensed practical nurse licenses.

8. By email dated November 22, 2021, the Board requested that the Applicant provide an explanation as to why she answered “No” to the disciplinary question in light of her discipline by the Maryland Board of Nursing.

9. On or about November 22, 2021, the Applicant provided the following explanation to the Board:

...There was no intent on my part to deceive anyone of my past which has been resolved.

In 2010 I had my nursing license suspended for a year for the use of substances for a year. After meeting requirements required by the nursing board my license was restored as a probationary license. I was started on random urine [sic] sometime in 2013. I did maintain neg [sic] random tox [sic] screens for 5 yrs. until oct [sic] 2018. At that time, I missed a urine, [sic] I called [sic] made my case manager aware...I had maintained my recover meetings and slips as required...It was suggested...foe [sic] me to be admitted into inpatient treatment...for 30 days....I could not find employment as a nurse, I made the decision to reinvent myself. During my last semester

I discovered I was supposed to take a nursing refresher course before I could seek employment in my field again...I have voluntarily turned my license in and it is closed...

10. The Applicant only provided the last two pages of her October 27, 2021 *Voluntary Surrender of Registered Nurse License and Licensed Practical Nurse License* to the Board. The two pages were signature pages and did not contain any information regarding the reason for the Applicant's surrender of her nursing licenses.

Maryland Board of Nursing Discipline

11. After receiving a complaint regarding the Applicant's nursing practice, on January 18, 2007, the Applicant entered into a participation agreement with the Maryland Board of Nursing's rehabilitation program. On July 17, 2009, the Maryland Board of Nursing charged the Applicant with violating the Nurse Practice Act. As a result of an evidentiary hearing¹ on the charges, on September 14, 2010, the MBON issued a *Final Decision and Order of Revocation* revoking the Applicant's Maryland RN license based on her expulsion from the Maryland Board of Nursing's rehabilitation program.

12. After petitioning the Board for reinstatement, on December 12, 2012, the Maryland Board of Nursing issued an *Order of Reinstatement of Registered Nurse License/Order of Probation* ("Probation Order") reinstating the Applicant's license to practice as a registered nurse ("RN") in the State of Maryland and placing her RN license on probation for a minimum of five (5) years.

¹ The Applicant failed to appear at the evidentiary hearing before the Maryland Board of Nursing.

13. Subsequently, the Board obtained the complete copy (4 pages) of the Applicant's 2021 *Voluntary Surrender of Registered Nurse License and Licensed Practical Nurse License* ("Voluntary Surrender") accepted by the Maryland Board of Nursing on October 27, 2021.

14. According to the Voluntary Surrender, the Applicant's practice was brought to the attention of the Maryland Board of Nursing as follows:

On or about December 12, 2012, the Board issued an *Order of Reinstatement of Registered Nurse License/Order of Probation*² ("Probation Order") reinstating [the Applicant's] license to practice as a registered nurse ("RN") in the State of Maryland and placing [her] RN license on probation for a minimum of five (5) years.

[The Applicant] failed to comply with the conditions of [her] Probation Order in the following ways: in 2013, the first year of [her] probation, [she] failed to submit signed attendance slips to the Board verifying that [she] attended two support group meetings per week during a total of seventeen (17) weeks; between December 12, 2012 and July 27, 2021, [she] failed to submit seventeen (17) quarterly Self-Reports to the Board and submitted seventeen (17) reports late or in the wrong month; between December 12, 2012 to October 11, 2019, [she] failed to call First Source Solutions (FSS) 1,048 times; and, on 96 occasions, [she] was selected for testing through in which "No test results were found." [The Applicant's] account with FSS was suspended on February 13, 2018 and [she] failed to re-enroll with FSS's new testing system by October 14, 2019.

² On or about January 9, 2003, the Board received a complaint regarding [the Applicant's] nursing practice. On January 18, 2007, [the Applicant] entered into a participation agreement ("2007 Agreement") with the Committee to participate in the [MBON's] Rehabilitation Program. On February 24, 2009, as a result of [her] non-compliance with the 2007 Agreement, the Committee expelled [her] from the Program. On July 17, 2009, the Board charged [the Applicant] with violating the Nurse Practice Act, specifically Md. Code Ann., Health Occ. § 8-316(a)(21). On May 25, 2010, the [MBON] held an evidentiary hearing, but [the Applicant] failed to appear. On September 14, 2010, the [MBON] issued a Final Decision and Order of Revocation, revoking [the Applicant's] license to practice as a registered nurse in Maryland.

15. In the Voluntary Surrender, the Applicant “agree[d] that the Board ha[d] enough evidence to prove by a preponderance of the evidence the...violations cited in the Charges issued on September 1, 2021” and that she agreed to surrender her RN and LPN licenses in lieu of proceeding to an evidentiary hearing on the Charges. Furthermore, any future application of reinstatement of her Maryland RN and/or LPN license(s) would be required to proceed through the Maryland Board of Nursing’s disciplinary process and may be subject to terms and conditions.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law:

The Applicant’s failure to disclose the Maryland Board of Nursing’s discipline against her nursing licenses on her 2021 CSC-AD Application, when the Applicant answered “No” to the question asking “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?” constitutes in whole or in part: fraudulently or deceptively obtains or attempts to obtain trainee status, a license, or a certificate for the applicant, trainee, licensee, or certificate holder or for another and therefore fraudulently or deceptively attempted to obtain a license, or a certificate for the applicant in violation of Health Occ. § 17-509 (1).

The Maryland Board of Nursing’s September 14, 2010 *Final Decision and Order of Revocation* revoking the Applicant’s Maryland RN license and the October 27, 2021 *Voluntary Surrender of Registered Nurse License and Licensed Practical Nurse* in which the Applicant surrendered her Maryland RN and LPN licenses constitutes, in whole or in

part: being 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 violation of Health Occ. § 17-509(14).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 21st day of April 2023, by a majority of the Board considering this case:

ORDERED that the Applicant's Application to practice as a Certified Supervised Counselor – Alcohol and Drug in the State of Maryland is **DENIED**; 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. §§ 4-101-4-601 (2014).

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. § 17-512(a), 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:

Shelly-Ann Barnes, Compliance Manager
Maryland State Board of Professional Counselors and Therapists
4201 Patterson Avenue
Baltimore, Maryland 21215-2299
Fax: 410-358-1610

shelly-ann.barnes@maryland.gov

At that point, the Administrative Prosecutor is no longer a party to this case and need not be served or copied.

04/21/2023
Date



Mary N. Drotleff, M.S. LCMFT

Board Chair
Maryland State Board of Professional
Counselors and Therapists