

IN THE MATTER OF                   \*       BEFORE THE MARYLAND  
STEPHANIE NEIDHARDT       \*       BOARD OF PROFESSIONAL  
ADT Applicant                   \*       COUNSELORS AND THERAPISTS  
   \*       CASE NUMBER: 2024-204

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**FINAL DECISION AND ORDER**

**BACKGROUND**

On or about October 23, 2024, the Maryland Board of Professional Counselors and Therapists (“the Board”) issued the Respondent, Stephanie Neidhardt, a Notice of Intent To Deny (“Notice”) the application for alcohol and drug trainee status. The Notice set forth the Board’s intent to deny the Respondent’s application for status to practice as an Alcohol and Drug Trainee (“ADT”) 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.). The Notice was based on,

**§ 17-509 Denial, suspensions, or revocation of license**

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:

- (10) Is convicted of or pleads guilty or nolo contendere to a felony or a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside[.]

## **HEARING BEFORE THE BOARD**

The Notice informed the Respondent of the right to an evidentiary hearing on the denial of the ADT status. On March 12, 2025, the Respondent and the Board met at a Case Resolution Conference. A resolution was not mutually agreed to by both parties. As a result, the Respondent requested an evidentiary hearing before the Board. The Respondent waived her right to a 30-day notice of hearing and the matter was scheduled for Friday, March 21, 2025, at 1:15pm, via Google Meet.

On March 21, 2025, the parties appeared before the Board via Google Meet and the evidentiary hearing commenced at approximately 1:15 pm. A quorum of the Board was present. Administrative Prosecutor Assistant Attorney General Rachel Crane appeared on behalf of the State of Maryland. The Respondent was present and represented by counsel, Jenna Taylor, Esquire.

The State elicited testimony from one Witness, Board investigator Myisha Maybin. The Respondent elicited testimony from one Witness, Respondent, Stephanie Neihardt. The testimony of Myisha Maybin and Stephanie Neihardt was under oath and entered into the record.

The State introduced Exhibit Numbers 1 -6, which were marked, identified and admitted into evidence without objection. The Exhibits were identified as follows:

Exhibit Numbers:

1. Maryland State Board of Professional Counselors and Therapists' Investigative Report (07/01/24)
2. Applicant's Alcohol and Drug Trainee Application (02/09/24)
3. Applicant's Written Explanation regarding Criminal History
4. Court Records regarding Applicant's Criminal History
5. Notice of Intent to Deny (10/18/24)
6. Notice of Hearing (03/05/25) and Applicant's Response

The Respondent introduced Exhibit Letters A - U, which were identified and admitted into evidence without Objection. The Exhibits were identified as stated below:

Exhibit Letters:

- A. Community College of Baltimore County Unofficial Academic Transcript
- B. Certificate of Membership, Tau Upsilon Alpha, National Organization for Human Services Honor Society (05/23/24)
- C. Letter, signed by Agent J. Mutaku, Department of Public Safety and Corrections, Division of Parole and Probation, (02/19/25)
- D. Letter, signed by Carressa Christian, BS, CSC-AD (10/30/24)
- E. Letter, signed by Lynn Tincher-Ladner, Ph.D. Phi Theta Honor Society
- F. Letter (02/15/25)
- G. Letter
- H. Letter (02/26/25)

- I. Letter (03/15/25)
- J. Letter (03/15/25)
- K. Letter
- L. Letter (02/01/25)
- M. Letter
- N. Letter, signed by Jordan Giordano, Transportation Coordinator, Evolve Life Centers (10/30/24)
- O. Letter, signed by Luke Wheatley, BSW, CAC-AD (02/21/24)
- P. Letter
- Q. Letter
- R. Letter
- S. Letter
- T. Letter
- U. Letter

### **FINDINGS OF FACT**

The Board, having heard the testimony of the Witnesses and having reviewed the Exhibits presented by both the State and the Respondent, makes the following findings of fact based upon the entirety of the record:

1. On or about February 9, 2024, the Board received an Application for Alcohol and Drug Trainee Status (“the Application”) submitted by the Respondent, Stephanie Neihardt.

2. In the Application, the Respondent answered “yes” to question 2, which asked:

“Have you pled guilty, *nolo contendere* [*sic*], or been convicted of, received probation before judgment, or had a conviction set aside for any criminal act (excluding traffic violations)?”

3. The application instructed, “***If YES***, 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, if applicable.” Per these instructions, the Respondent provided a two-page letter of explanation and certified copies of court documents relating to the criminal convictions.

4. Court records show that between 2012 and 2017, the Respondent was convicted of five crimes and received one probation before judgment (“PBJ”)<sup>1</sup> for a sixth offense in four separate criminal cases.

5. Three of the Respondent’s convictions were for crimes of violence that are statutorily defined as felonies.

6. Court records contain the following information about each specific conviction:

- a. Case 06-K-11-042167: On February 22, 2012, in the Circuit Court for Carroll County, Maryland, the Respondent entered into a Not Guilty Agreed Statement of Facts on one count of **Driving While Under the Influence of Alcohol**<sup>2</sup> (“DUI”) (a misdemeanor). The Court entered a

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<sup>1</sup> Md. Code, Crim Proc. § 6-220.

<sup>2</sup> Md. Code., Transp. § 21-902(a)(2).

probation before judgment and ordered the Respondent to complete a one-year term of supervised probation through the Maryland Drinking Driver Monitor Program (“DDMP”)

- b. Case 12-K-16-056317: On May 2, 2016, in the Circuit Court for Howard County, Maryland, the Respondent pleaded guilty to one count of **Driving Vehicle While Under the Influence of Alcohol**. The Court sentenced the Respondent to one years’ incarceration, suspend all but one weekend, and ordered the Respondent to complete a two-year term of supervised probation commencing 5/2/16 and ending 5/218. On February 22, 2017, the Circuit Court for Howard County found that the Respondent violated the terms of her probation and sentenced her to 11 months and 27 days’ incarceration.<sup>3</sup>
- c. Case 13-K-16-057025: On November 16, 2016, in the Circuit Court for Howard County, Maryland, the Respondent pleaded guilty to one count of **Robbery** (a felony) and one count of **Assault-Second Degree** (a misdemeanor). Per the Statement of Probable Cause, the Respondent walked into a dry-cleaning business in Woodstock, Maryland on August 15, 2016, pointed a handgun at the woman working behind the counter, ordered the woman to open two cash registers, took approximately \$261.50, and left the store. Two days later, on August 17, 2016, the Respondent walked into a dollar store in Elkridge, Maryland, made a purchase, waited until the cash register was open, pointed a handgun at the woman working behind the counter, ordered the woman to leave the cash register open, took approximately \$370, and left the store. Upon

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<sup>3</sup> Sentence start date: September 2, 2016 to run concurrent with any other outstanding or unserved sentence.

conviction for the Robbery, the Court sentenced the Respondent to 10 years' incarceration with all but 18 months suspended.<sup>4</sup>

d. Case 03-K-17-002373: On December 17, 2017, in the Circuit Court for Baltimore County, the Respondent pleaded guilty to one count of **Robbery with a Dangerous Weapon** (a felony) and one count of **Robbery** (a felony). Per the Statement of Probable Cause, on May 5, 2016, the Respondent walked into a cell phone store with a bandana covering her face and her hand inside her jacket, stated that she had a gun, ordered the man working in the store to open the cash register, took approximately \$500, and left the store. On August 12, 2016, the Respondent walked into a sandwich shop, showed the woman working behind the counter that she had what appeared to be a handgun, ordered the woman to open the cash register, took approximately \$334, and left the store. Upon conviction for these offenses, the Court sentenced the Respondent to ten years' incarceration (5 years for the Robbery with a Dangerous Weapon and a consecutive 5 years for the Robbery)<sup>5</sup> and recommended that the Respondent complete the Start Program at the Division of Corrections during her incarceration.

7. The Respondent submitted a letter of explanation to the Board. The letter explained that the Respondent robbed stores to pay for her drug addiction.

8. While incarcerated the Respondent started a drug treatment program. She also attended 12-step meetings, self-help groups, mental health treatment, and took college courses.

9. The Respondent was released on parole to the community in October 2022.

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<sup>4</sup> Sentence start date: August 17, 2016.

<sup>5</sup> Sentence start date: September 13, 2017.

10. By virtue of her parole, the Respondent is subject to the monitoring and supervision of the Department of Public Safety and Correctional Services.

11. The Respondent is currently employed.

12. The Respondent's parole expires in September 2027. Since her release from incarceration, the Respondent has not lived and worked in the community without oversight or supervision.

### **DISCUSSION**

Pursuant to section 17-509 of the Act, the Board may deny ADT trainee status to an applicant if the Board finds by a preponderance of the evidence that the applicant committed any of the enumerated acts. The Board specifically considered whether the Respondent was convicted of a felony. See H.O. § 17-509 (10).

#### **The State's Case**

The State argues that the Board has the legal authority to deny the ADT status under HO §17-509 (10), because the Respondent has three felony convictions. Pursuant to Maryland Code Ann., Criminal Law, § 3-402 (b) Robbery is defined as a felony. Section 3-402 (b) states, "[a] person who violates this section is guilty of a felony". Likewise, Robbery with a Dangerous Weapon is defined as a felony under Maryland Code, Criminal Law, § 3-402 (b), which states "[a] person who violates this section is guilty of a felony". The State's presented evidence including the Respondent's application for alcohol drug trainee status, court records, and the Respondent's letter of explanation. On the application, the Respondent answered "yes" to Question 2, which



requires disclosure and true test copies of court records along with a letter explaining the context for any criminal convictions. The court records show that between 2014 and 2017, the Respondent was convicted of multiple crimes and received one probation before judgment for six offenses. Two of those convictions was for Robbery and one conviction was for Robbery with a Dangerous Weapon.<sup>6</sup>

### **The Respondent's Case**

The Respondent testified on her own behalf. The Respondent's testimony was consistent with the letter of explanation submitted with her Application. The Respondent testified that her addiction led her to make poor decisions. She engaged in criminal activities to sustain her drug habit. She stated that she understands the Board's concerns related to the gravity of her criminal history and its potential impact on her professional conduct. She also testified that she is in recovery. She uses self-help meetings, parole, co-workers, family and friends to support her commitment to her sobriety. She has been employed since June 2023 and is currently working as a driver and an intern.

### **Analysis of the Evidence**

The Board issued a notice of intent to deny based on H.O. § 17-509 (10) of the Act. Section 17-509 (10) states, "the Board, on the affirmative vote of a majority of its members then serving, may deny trainee status... if the applicant, ...is convicted of ... a felony or a crime involving moral turpitude." In order to prevail, in denying the Respondent's

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<sup>6</sup> The State also contends that Robbery and Robbery with a dangerous weapon convictions are crimes involving moral turpitude. See, *Oltman v. Maryland State Board of Physicians*, 162 Md. App. 457 (2005), holding that a person who deliberately and intentionally engages in dishonest conduct for personal gain or with the intent to defraud has committed a crime of moral turpitude.

application to practice as an ADT, the State must show by a preponderance of the evidence that the Respondent was either convicted of a felony or a crime involving moral turpitude. The Board finds that the State met its burden as to H.O. § 17-509 (10).

Overwhelming and undisputed evidence in the record shows that Respondent was convicted of three felonies, namely Robbery and Robbery with a Dangerous Weapon. These two crimes, Robbery and Robbery with a Dangerous Weapon, are statutorily defined as felonious crimes. See Md. Crim. Law §§ 3-402, 3-403. Robbery and Robbery with a Dangerous Weapon are also crimes of violence pursuant to Md. Code Ann., Criminal Law § 14-101 (a) (9).

The court records from Baltimore County and Howard County are clear and undeniable. The Respondent has two Robbery convictions, one in Baltimore County and one in Howard County. She also has one Robbery with a Dangerous Weapon conviction in Baltimore County. The Respondent offered no evidence to the contrary.

The Respondent was released from incarceration at the end of 2022. She has been residing in the community on parole under monitoring and supervision of the Maryland Department of Public Safety and Corrections for the past 2 years and 6 months. The Respondent's parole expiration date is 2027.

Section 17-509 (10) requires evidence of a felony conviction or crime involving moral turpitude, but not both. The evidence of a felony conviction exceeds a preponderance. It is clear that the Respondent was convicted of more than one felony.

Therefore, the Board finds it is unnecessary to make a further ruling on whether the Respondent's convictions involve moral turpitude.

### **CONCLUSIONS OF LAW**

It is well established that the State of Maryland professional health occupations boards exist to preserve and protect the public. *Unnamed Physician v. Commission on Medical Discipline*, 285 Md. 1, 8-9 (1979). (See also, Md. Code, H.O. 1-102 (a), stating [i]t is the policy of the State that health occupations should be regulated and controlled as provided in the article to protect the health, safety, and welfare of the public.) The Board takes seriously the General Assembly's mandate to protect the public in licensing and regulating counseling and therapy professionals by setting the standards for entry into the profession and promoting integrity and high standards for practice in the profession. See H.O. § 17-102. Based on the record in this case, the Board concludes as a matter of law that the Respondent's conduct as described above constitutes a basis on which to deny the trainee status. Specifically, the Applicant's criminal conviction for Robbery with a Dangerous Weapon (a felony) and two criminal convictions for Robbery (a felony) constitute grounds to deny the trainee status under H.O. § 17-509 (10) (is convicted of a felony).

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 16th, day of May, 2025, by a majority of the Board considering this case:

**ORDERED** that the application for status to practice as an Alcohol and Drug Trainee is hereby **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).

05/16/2025

Date



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

**NOTICE OF RIGHT TO APPEAL**

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

Tomiloba Olaniyi-Quadri, Executive Director  
Maryland Board of Professional Counselors and Therapists  
4201 Patterson Avenue  
Baltimore, Maryland 21215