

JENNA M. SHOEMAKER a/k/a Jenna M. Lupinetti
206 Midlothian Way
Boonsboro, MD 21713

May 11, 2023
Date

Mary N. Drotleff, MS, LCMFT, Board Chair
State Board of Professional Counselors and Therapists
4201 Patterson Avenue
Baltimore, Maryland 21215

RE: Surrender of Professional Counselor License
License Number: LC5878
Case Number: 2022-030

Dear Ms. Drotleff and Members of the Board:

Please be advised that I have decided to **SURRENDER** my license to practice as a professional counselor in the State of Maryland, License Number: LC5878 effective immediately. I understand that upon surrender of my license, I may not practice professional counseling, with or without compensation, or otherwise engage in the practice of professional counseling in the State of Maryland as it is defined in the Maryland Professional Counselors and Therapists Workers Act (the "Act"), Md. Code Ann., Health Occupations. ("Health Occ.") §§ 17-101 *et seq.*, (2021 Repl. Vol. & 2022 Supp.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that I am in the same position as an unlicensed individual in the State of Maryland.

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT**, and, on the Board's, acceptance becomes a **FINAL ORDER** of the Board.

My decision to surrender my license to practice as a professional counselor in the State of Maryland has been prompted by an investigation of my license by the Maryland State Board of Professional Counselors and Therapists (the "Board"). The results of the investigation led the Board to issue disciplinary charges against me on or about March 17, 2023, under Case Number: 2022-030.

I have decided to surrender my license to practice professional counseling in the State of Maryland to avoid further prosecution of the disciplinary charges now pending before the Board. I acknowledge that the Board initiated an investigation of this matter and issued disciplinary charges against me under the Act.

After its investigation, the Board charged me with violating the following:

Health. Occ. §§ 7-509:

- (8) Violates the code of ethics adopted by the Board;
- (9) Knowingly violates any provision of this title;
- (13) Violates any rule or regulation adopted by the Board; and
- (16) Commits an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy[.]

The Board also charged me with violating the following provisions of **COMAR 10.58.03:**

.04 Ethical Responsibility.

B. A counselor may not:

- (3) Enter into relationships that could compromise a counselor's objectivity or create a conflict of interest.

.05 The Counseling Relationship.

A. Client Welfare and Rights.

(2) A counselor may not:

Place or participate in placing clients in positions that may result in damaging the interests and the welfare of clients, employees, employers, or the public;

(d) Foster dependent counseling relationships.

B. Dual Relationships.

(1) A counselor shall:

(a) Avoid dual relationships with clients[.]

.09 Sexual Misconduct.

C. Relationship with Former Clients.

(1) Except as set forth in §C(3) of this regulation, a counselor may not engage in sexual behavior with a former client.

An investigation conducted by Board staff revealed the following:

- a. I was employed as an Addictions Counselor at a Maryland Correctional Facility (the "Facility") from August 2012 until November 2017. On or about September 13, 2021, I filed a complaint with the Board. I stated in my complaint that I had married a Facility client ("the "Client") who had been detained at the Facility from 2016 to 2018.
- b. During the time that I was employed at the Facility, I provided counseling to Facility clients who participated in a substance abuse program (the "Program") held at the Facility.
- c. In late 2016 or early 2017, the Client began group and/or individual therapy sessions with the Program. I was the Client's assigned therapist. The Client completed the Program in or around April 2017.
- d. In or around July 2017, the Client sent a request to Facility staff for me to attend a Court hearing to provide the presiding judge in his criminal case, information about his participation in the Program. I attended the July 2017 court hearing and provided the judge with information on the Client's participation in the Program.¹
- e. On several occasions after the Client's July 2017 Court hearing, the Client sent requests to Facility staff to see me. Once the Client's requests were approved by Facility staff, I met with the Client.

¹ After a Facility Client completes the Program, the Facility Client must the get approval from a Facility Staff member to see his Program therapist.

- f. In August 2017, I went to see the Client. During this meeting, the Client gave me a birthday card that he had made for me. I had previously told the Client and others at the Facility the date of my birthday.
- g. In the Fall of 2017, the Client and I met on several occasions. During one meeting, the Client kissed me after I began holding the Client's hand in a Facility counseling room. I also told the Client that I was not wearing underwear. During another meeting, the Client and I met in the Facility laundry room where the Client gave me a letter.
- h. In his letter, the Client stated that he wanted to be with me. The Client's letter also included his brother's phone number and asked that I contact his brother if I wanted to reach the Client.
- i. At the end of October 2017, I left my employment at the Facility.
- j. In January or February 2018, I contacted the Client's brother to see how the Client was doing.
- k. In the Spring of 2018, the Client was granted work release from the Facility which allowed him to work outside of the Facility during the day but return to the Facility in the evening. Once on work release, the Client obtained my cell phone number from his brother and contacted me. The Client and I frequently spoke on the phone, exchanged text messages, and met in person on numerous occasions.
- l. In the Fall of 2018, the Client was released from the Facility. After his release, the Client and I continued our relationship which included sexual relations.
- m. In October 2019, the Client and I married and later had a child together.
- n. The Client continued to have substance abuse problems during his relationship with me.

Mary N. Drotleff, MS, LCMFT, Board Chair
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- o. The Client passed away in the summer of 2021. The medical examiner cited in his report that "Fentanyl, Acetyl, Fentanyl, and Alcohol Intoxication" was the immediate cause of the Client's death.

I wish to make clear that I have voluntarily, knowingly, and freely chosen to submit this Letter of Surrender to avoid prosecution of the aforementioned charges under the Act. I acknowledge that if the case were to proceed to an evidentiary hearing, the State would be able to prove by a preponderance of the evidence that I violated the Act as charged. I acknowledge that for all purposes relevant to my licensure, the Board's investigative findings will be treated as if proven.

I understand that the Board will advise the National Practitioners' Data Bank of this Letter of Surrender, and in any response to any inquiry, that I have surrendered my license in lieu of further disciplinary action under the Act. I also understand that in the event I would apply for license in any form in any other state or jurisdiction, that this Letter of Surrender and the underlying investigative documents including the Notice of Intent to Revoke may be released or published by the Board to the same extent as a final order that would result from disciplinary action, pursuant to Md. Code Ann., State Govt., § 10-611 et seq., (2021 Repl. Vol & 2022 Supp.), and that this Letter of Surrender is considered a disciplinary action by the Board.

I understand that by executing this Letter of Surrender I am waiving any right to contest the charges in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal.

I affirm that on or before the date of the Board's acceptance of this Letter of Surrender, I will provide Board staff my professional counselor licenses. I understand that I may apply for reinstatement of my license to practice professional counseling no earlier than five (5) years from the Board's acceptance of this Letter of Surrender. If I apply for reinstatement of my Maryland professional counselor license, the Board has full discretion to grant or deny my reinstatement. If the Board does grant reinstatement, it may impose any terms and conditions the Board considers appropriate for public safety and the protection of the integrity and reputation of the profession. I understand that when applying for reinstatement, I will approach the Board in the same posture as one whose license has been revoked. I also understand that if I apply for reinstatement, I will bear the burden of demonstrating my professional competence and fitness to practice professional counseling to the satisfaction of the Board. If the Board denies my

application for reinstatement of my license, I do not have the right to a hearing or to appeal the Board's decision.

I understand that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have been advised of my right to be represented by the attorney of my choice throughout proceedings before the Board, including the right to counsel with an attorney prior to signing this Letter of Surrender. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I voluntarily choose to surrender my Maryland license to practice professional counseling pursuant to the terms and conditions set out herein. I made this decision knowingly and voluntarily.

Very truly yours,

Jenna M. Lupinetti 5/11/23
Jenna M Shoemaker, LCPC
a/k/a Jenna M Lupinetti

NOTARY

STATE OF MARYLAND

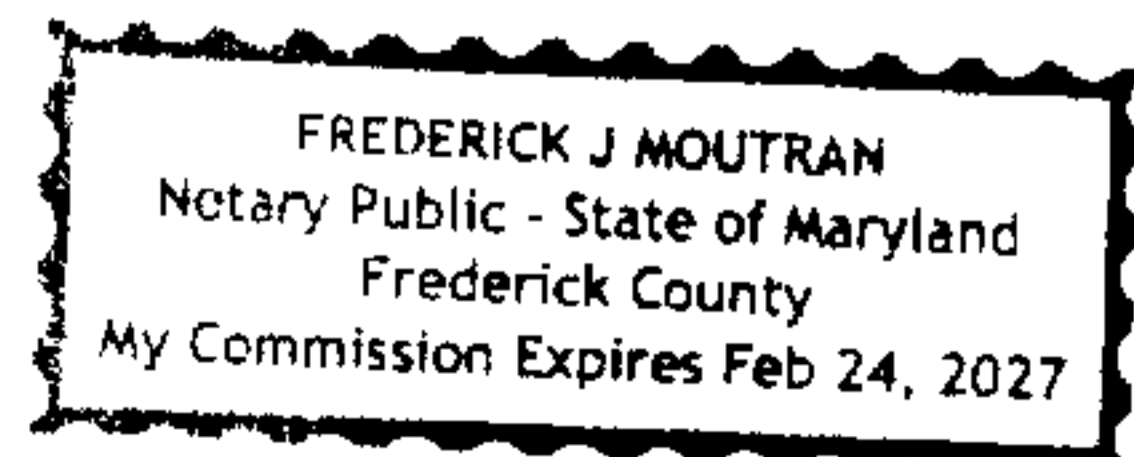
CITY/COUNTY OF Frederick

I HEREBY CERTIFY that on this 11th day of MAY 2023, before me, a Notary Public of the State and City/County aforesaid, personally appeared, **JENNA M. SHOEMAKER a/k/a JENNA M. LUPINETTI**, License Number: LC5878 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.

Frederick J. Moutran
Notary Public

My Commission expires: 02/24/2027



Mary N. Drotleff, MS, LCMFT, Board Chair

RE: Jenna M Shoemaker a/k/a Jenna M. Lupinetti, LCPC

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ACCEPTANCE

On this **19**th day of May 2023, I, Mary N. Drotleff, MS, LCMFT,
Board Chair, on behalf of the State Board Professional Counselors and Therapists, accept
the **SURRENDER** of the license of **Jenna M. Shoemaker, a/a Jenna M. Lupinetti** to
practice professional counseling in the State of Maryland.



Mary N. Drotleff, MS, LCMFT

Board Chair

Maryland State Board of Professional
Counselors and Therapists