

IN THE MATTER OF * BEFORE THE MARYLAND STATE
 MEGHAN DEVAUGHN * BOARD OF PROFESSIONAL
 CSC-AD Applicant * COUNSELORS AND THERAPISTS
 * CASE NUMBER: 2023-157

* * * * *

CONSENT ORDER

On or about October 20, 2023, the Maryland State Board of Professional Counselors and Therapists (“the Board”) notified MEGHAN DEVAUGHN (“the Applicant”) of its 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 2022 Supp.).

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

§ 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:

- (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;
- (9) Knowingly violates any provision of this title;

- (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;
- (13) Violates any rule or regulation adopted by the Board, *to wit*:
 - COMAR 10.58.07.03 Application Process for Certification, Licensure, and Trainee Status
 - A. In order to obtain a certificate or license or to be eligible for trainee status, an applicant shall:
 - (5) Be of good moral character[.]

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[.]

FINDINGS OF FACT

The Board makes the following Findings of Fact:

- 1. On or about December 3, 2020, the Board granted the Applicant authorization to practice as an Alcohol and Drug Trainee (“ADT”).
- 2. The Applicant’s ADT status expired on December 31, 2022.
- 3. On or about June 16, 2022, the Board received the Applicant’s Certified Supervised Counselor – Alcohol and Drug Application (“Application 1”).
- 4. By letter dated June 24, 2022, the Board notified the Applicant that Application 1 was incomplete and missing required information including her complete educational transcript and the passport-sized photograph.

5. On or about August 18, 2022, the Board received a second Certified Supervised Counselor – Alcohol and Drug Application from the Applicant (“Application 2”).

6. In both applications, which were submitted approximately two months apart, the Applicant affirmed “that all of the statements made herein are true and correct to the best of my knowledge and belief.” However, some of the information that the Applicant provided in Application 2 is inconsistent with the information she provided in Application 1, including information about her criminal history, graduation date, and the expiration date of her ADT status.

7. Significantly, in Application 1, the Applicant answered “no” to **question 2**, which asks: “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)?” In Application 2, she answered “yes” to **question 2**.

8. The application instructs applicants who answered “yes” to question 2 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.”

9. The Applicant provided a one-page court document from case 2B02076958 and a one-page typed document titled “Charge explanation” in which she listed **three criminal cases** and one traffic case.

10. The Applicant later provided additional court records and a two-page typed document titled “Statement of Charges” in which she listed **seven criminal cases**.

11. By letter dated March 31, 2023, the Board notified the Applicant that the documentation she submitted was insufficient and instructed her to provide certified copies of court documents including docket entries, commitment orders, and statements of fact.
12. Ultimately, the Applicant provided the Board with certified copies of court documents from seven criminal cases and a non-certified copy of a document from an eighth case.
13. Court records show that between 2010 and 2019, the Applicant was convicted of seven crimes and received one probation before judgment (“PBJ”) in eight separate criminal cases. The Applicant was convicted of one felony and several crimes involving moral turpitude (“CIMT”).
14. Court records also contain the following information:
 - a. Case 2C00304201: On December 10, 2009, in the District Court of Maryland for Baltimore County, the Applicant received a PBJ for CDS: Obtain By Fraud and placed on supervised probation for one year. On June 8, 2011, the Court found the Applicant in violation of the terms of her probation, struck the PBJ, entered a conviction for **CDS: Obtain By Fraud** (a misdemeanor and CIMT), and sentenced the Applicant to 6 months incarceration.
 - b. Case 2B02076958: On November 30, 2010, in the District Court of Maryland for Baltimore City, the Applicant was convicted of **Theft: Less Than \$1,000 Value** (a misdemeanor and CIMT), given a one-year suspended sentence, and ordered to complete an 18-month term of probation.
 - c. Case 4C00379033: On May 30, 2013, in the District Court of Maryland for Baltimore County, the Applicant was convicted of **Theft: Less Than \$1,000 Value** (a misdemeanor and CIMT), sentenced to 18 months with 17 months and 20 days suspended, and ordered to complete a one-year term of probation. On January 6, 2014, the Applicant was found in violation of the terms of her probation and sentenced to serve one year and one day in the Division of Correction.

- d. Case 0C00379015: On January 7, 2014, in the District Court of Maryland for Baltimore County, the Applicant was convicted of **CDS: Possess-Not Marijuana** (a misdemeanor) and sentenced to serve one year and one day in the Division of Correction.
 - e. Case 2R00100277: On August 26, 2015, in the District Court of Maryland for Harford County, the Applicant was convicted of **Theft: \$1,000 To Under \$10,000** (a felony and CIMT), sentenced to serve two years of a ten-year sentence, and ordered to complete a term of probation upon release. The Applicant was further ordered to pay \$1,145 in restitution and to enroll in and complete a drug treatment program. On June 12, 2018, the Court revoked the Applicant's probation and sentenced her to one year incarceration.
 - f. Case 03-K-16-002608: On March 12, 2018, in the Circuit Court of Baltimore County, the Applicant was convicted of **Reg. Firearm: Illegal Possession** (a misdemeanor and, in this case, a CIMT). On March 28, 2018, the Applicant was sentenced to a term of incarceration. On November 27, 2018, the Court granted the Applicant's motion for modification of sentence, suspended the balance of her sentence, and ordered the Applicant to complete a two-year term of supervised probation.
 - g. Case 03-K-17-001596: On March 28, 2018, in the Circuit Court of Baltimore County, the Applicant was convicted of **CDS-Deliver-Confinement** (a misdemeanor and CIMT) for delivering buprenorphine to her co-defendant from the previous case while he was detained in the courthouse on February 15, 2017. The Court suspended a three-year sentence and ordered the Applicant to complete a three-year term of supervised probation.
 - h. Case D-08-CR-19-004474: On September 30, 2019, in the District Court of Maryland for Baltimore County, the Applicant received a PBJ for **CDS: Possess-Not Marijuana** (a misdemeanor) for possessing suboxone, alprazolam, and/or oxycodone in her cell in the Baltimore County Detention Center on June 5, 2018.
15. In the two-page document the Applicant provided in which she listed seven criminal cases and explained her criminal history:
- a. The Applicant wrote, "Everyone [*sic*] of my charges have been during my active addiction. I remember some in detail and others are not as clear. The gun charge I obtained actually saved my life, when the judge ordered me to get treatment while incarcerated. I was able to

surrender to my disease at that time and begin to heal and rebuild my life.”

- b. The Applicant did not list Case 03-K-17-001596 (in which she was convicted of CDS-Deliver-Confinement) or Case 2C00304201 (in which she was convicted of CDS: Obtain By Fraud).
- c. The Applicant provided explanations regarding the circumstances that led to several of her criminal convictions that are inconsistent with her own prior explanations and/or court records.

16. On December 15, 2023, a Case Resolution Conference (“CRC”) was held before a committee of the Board. During the CRC, the Applicant, represented by counsel, demonstrated that she has engaged in significant efforts at rehabilitation since her last conviction in 2018. These efforts include completing a substance use treatment program, maintaining her sobriety since completing the program, pursuing a college education, obtaining ADT certification, and maintaining steady employment helping others struggling with addiction. At the conclusion of the CRC, the Applicant agreed to the resolution of this matter according to the terms of this Consent Order.

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 a basis on which to deny the Application. Specifically, the Applicant’s criminal history, which spans from 2010 to 2019 and includes convictions for one felony and several crimes involving moral turpitude, constitutes grounds to deny the Application under Health Occ. § 17-509(1) (fraudulently or deceptively obtains or attempts to obtain trainee status, a license, or a certificate); § 17-509(9) (knowingly violates any provision of this title); § 17-509(10) (is convicted of a felony or a crime involving moral turpitude); § 17-509(13) (violates any rule or regulation

adopted by the Board, *to wit*: COMAR 10.58.07.03(A)(5) (be of good moral character)); and § 17-404(a)(1) (be of good moral character).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 16th, day of February, 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**; and it is further

ORDERED that during the probationary period:

1. The Applicant shall engage a Board-approved supervisor;
2. The Applicant shall provide written copies of the Consent Order to the Board-approved supervisor and to her employer and provide documentation of their receipt;
3. 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;
4. 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;

5. 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;
6. In the event that the Applicant's employment changes for any reason during the probationary period, the Applicant shall notify the Board within 30 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;
7. The Applicant shall continue with individual therapy and the treatment program she is enrolled in and comply with any and all treatment/therapeutic recommendations from her therapist and the program;
8. The Applicant shall ensure that the Board and her Board-approved supervisor have access to her treatment records from individual therapy and the treatment program;
9. The Applicant, at her own expense, shall enroll in and complete one Board-approved course in professional ethics and one Board-approved course on documentation and/or record-keeping;
10. The Applicant shall, at all times, comply with the Act and all applicable laws, statutes and regulations;

11. 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;
12. 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;
13. A negative report from the Supervisor or any failure to comply with the Supervisor's recommendations shall be deemed a violation of probation or of this Consent Order;
14. 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;
15. 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 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.* (2014).

02/16/2024

Date




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

CONSENT

I, Meghan DeVaughn, by affixing my signature hereto, acknowledge that:

1. 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 am aware that I am entitled to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 17-511 (2021 Repl. Vol. and 2022 Supp.) and Md. Code Ann., State Gov't §§ 10-201 *et seq.* (2021 Repl. Vol. and 2022 Supp.).
3. 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.
4. 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. 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.
5. I acknowledge that by failing to abide by the conditions set forth in this Consent Order, I may be subject to further disciplinary actions.
6. I sign this Consent Order voluntarily, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

1/26/2024
Date



Meghan DeVaughn, CSC-AD Applicant

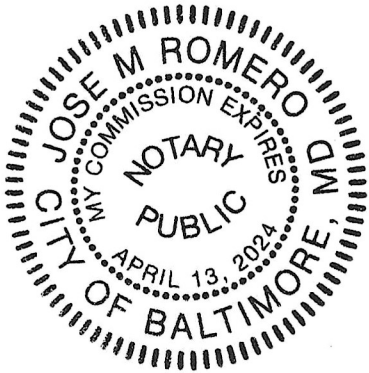
NOTARY


STATE OF Maryland

CITY/COUNTY OF Baltimore city

I HEREBY CERTIFY that on this 26 day of January, 2024, before me, a Notary Public of the State and City/County aforesaid, personally appeared Meghan DeVaughn, CSC-AD 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: 04/13/24