

IN THE MATTER OF	*	BEFORE THE MARYLAND
RENAULT WATKINS, CSC-AD	*	STATE BOARD OF PROFESSIONAL
Certificate No. SC01291	*	COUNSELORS AND THERAPISTS
Respondent	*	Case Number: 2006-33

* * * * *

FINAL DECISION AND ORDER

PROCEDURAL HISTORY

On December 2, 2010, the Maryland State Board of Professional Counselors and Therapists (the "Board") charged Renault Watkins, a certified supervised counselor-Alcohol and Drug ("CSC-AD"), with violating the Maryland Professional Counselors and Therapists Act ("Act"), Md. Code Ann., Health Occupations ("H.O.") § 17-101 *et seq.* (2005 Repl. Vol.). Specifically, the Board charged Mr. Watkins with making inappropriate sexual advances, initiating inappropriate physical contact and engaging in sexually inappropriate discussions during therapy sessions with three female clients, in violation of H.O. § 17-313 (4) (Violates the code of ethics adopted by the Board); (5) (Knowingly violates any provision of this title); and (9) (Violates any rule or regulation adopted by the Board) (Repl. Vol. 2005), and the Board's ethical regulations. COMAR 10.58.03.04, .05, and .09.

In accordance with its regulations, the Board sent written notification of the charges and the dates of disciplinary proceedings by certified and regular mail to Mr. Watkins' address of record at 2745 Prospect Street, Baltimore, Maryland, 21216. The Board again sent these documents by regular and certified mail on January 10, 2011. In these documents, the Board notified Mr. Watkins that: (1) an evidentiary hearing before the Board was scheduled for April 15, 2011; (2) a Case Resolution Conference or settlement conference was scheduled for January 21, 2011, at the Board's office; and

(3) a telephonic prehearing conference would be held on February 17, 2011. In addition, the Board strongly urged Mr. Watkins to retain private counsel to represent him at each of these conferences and at the hearing before the Board. The Board also informed Mr. Watkins that the Board was authorized to hear and determine the matter in the event he failed to appear at the hearing. On February 3 and 28, 2011, the Board again notified Mr. Watkins of the charges by certified and regular mail at an alternate address (2629 West Cold Spring Lane, Baltimore, Maryland 21215-6722) located by the Board through public information.

The Board's notification documents to Mr. Watkins were not returned as undeliverable by the United States Postal Service. The Board received no response from Mr. Watkins regarding the pending charges. Mr. Watkins made no request to the Board for a postponement of the case resolution conference, the pre-hearing conference or the evidentiary hearing.

On April 8, 2011, the Board resent notice and a copy of the charges to Mr. Watkins at 2745 Prospect Street, Baltimore, Maryland, 21216, by certified and regular mail. The Board notified Mr. Watkins that the date of the evidentiary hearing was rescheduled for May 20, 2011 at 10:30 a.m. at the Board's office at 4201 Patterson Avenue, Baltimore, Maryland, 21215. The Board again informed Mr. Watkins that the Board was authorized to hear and determine the matter in the event he failed to appear at the hearing.

Pursuant to H.O. § 17-511 and the Administrative Procedure Act, Md. Code Ann., State Gov't ("SG") § 10-201 *et seq.*, the Board conducted a contested case hearing as scheduled on May 20, 2011. The Administrative Prosecutor appeared on behalf of the

State. Neither Mr. Watkins nor anyone authorized to represent Mr. Watkins appeared at the evidentiary hearing.

SUMMARY OF EVIDENCE

A. Documents

The State submitted the following exhibits, which were admitted into evidence:

State's Exhibits 1-9

- State's Exhibit 1: Notice of Charges and Hearing with Letter of Procedure, dated December 2, 2010.
- State's Exhibit 2: Notice of Charges and Hearing with Letter of Procedure, dated April 8, 2011, reissued to Mr. Watkins.
- State's Exhibit 3: Complaint from Patient A,¹ dated June 22, 2006.
- State's Exhibit 4: Investigative Report.
- State's Exhibit 5: Transcript of Interview with Patient A, held on November 1, 2006.
- State's Exhibit 6: Transcript of Interview with Renault Watkins, held on February 28, 2007.
- State's Exhibit 7: Chronology of Events by Craig Lippens, submitted May 24, 2006.
- State's Exhibit 8: Patient A's Medical Records.
- State's Exhibit 9: Personnel File of Renault Watkins.

B. Witness Testimony

One witness testified on behalf of the State: Mr. Craig Lippens, Program Director, ICF/Detox at Facility A,² an in-patient drug and alcohol treatment facility in Baltimore, Maryland. Mr. Watkins failed to appear for the hearing or submit any documents into evidence. No attorney appeared on Mr. Watkins' behalf.

¹ For purposes of confidentiality, the three patients involved in this case are referred to as Patient A, Patient B and Patient C throughout this Final Decision and Order.

² For purposes of confidentiality, the facility involved in this case is not identified in this Final Decision and Order.

Evaluation of the Evidence

The Professional Counselors and Therapists Act specifically authorizes disciplinary hearings to proceed *ex parte* when a licensee or certificate holder is duly notified of a proceeding but fails to attend. The relevant portion of the statute provides as follows:

If after due notice the individual against the action is contemplated fails or refuses to appear, the Board may hear and determine the matter.

Md. Health Occ. Code Ann. § 17-511(f).

The documents and testimony presented by the State at the hearing showed that Mr. Watkins was certified to practice as a CSC-AD and was employed at Facility A from July, 2005 to May, 2006. (St. Exhs. 6, 7, 9; T. 18-22)

Craig Lippens,³ who was a certified associate counselor (“CAC-AD”) and the Program Director of Facility A’s ICF/Detox program, testified for the State at the hearing. Mr. Lippens confirmed that Mr. Watkins was a certified supervised counselor (“CSC-AD”) who was hired as a general counselor to provide individual and group counseling to inpatients at Facility A. (St. Exh. 9; T. 18-22) Mr. Lippens also testified that the facility investigated allegations by three female patients - Patients A, B, and C - that Mr. Watkins made aggressive sexual advances towards them, made sexually explicit suggestions as to what he would like to do with them, kissed and hugged them and touched their bodies inappropriately, and had sexual relations with Patient C at the facility. (T. 23-30, 33, 35) Mr. Lippens further testified that Patient C knew Mr. Watkins before coming for treatment because he was one of her regular customers when she was a prostitute to get money for drugs. (T. 29) According to Mr. Lippens, Mr. Watkins

³ In his capacity as Program Director at Facility A, Mr. Lippens investigated the allegations made by Patients A, B and C against Mr. Watkins and documented their account of Mr. Watkins’ conduct. (St. Exh. 7)

admitted to having sex with Patient C in his bathroom at the facility. (T. 33-34) Mr. Lippens stated that Mr. Watkins convinced Patient C to have sexual intercourse with him and to perform oral sex on him, she was re-traumatized by this experience and left the facility after the other patients came forward during the facility's investigation, and they were unable to contact her afterwards. (*Id.*) The facility accepted Mr. Watkins' resignation in 2006 after first terminating his employment. Mr. Lippens concluded that Mr. Watkins's pattern of behavior with patients was predatory and that he showed no remorse for his actions. (T. 24-36)

In her complaint to the Board and in an interview with the Board investigator, Patient A stated that she was treated at Facility A for heroin and cocaine abuse, and that Mr. Watkins asked questions about her sexual history and sex life while collecting her biographical information. (St. Exhs. 3, 5) He also told her she was beautiful, hugged her when she cried, played with her hair, pulled on her ponytail, touched her buttocks, kissed her neck twice, grabbed her inner thigh, and told her that when she was no longer in the program he wanted to initiate a personal and sexual relationship with her. (*Id.*) During their conversation, Mr. Watkins described a future sexual encounter that he wanted to have with Patient A in crude, sexually explicit language. (St. Exh. 3, pp. 1-2, St. Exh. 5, T. 17) In her interview, Patient A also stated that Mr. Watkins made similar sexual advances and sexually explicit comments to other female patients and that another patient told her that Mr. Watkins had oral sex with her in his bathroom at the facility. (St. Exh. 5, T. 13-15)

During his interview with the Board investigator, Mr. Watkins admitted to asking Patient A questions about her past sexual experiences and acknowledged that these

questions were not on the bio form. (St. Exh. 6, T. 7-8) Mr. Watkins denied all other allegations. (T. 13-24)

The State presented evidence that Mr. Watkins was duly notified of the charges, and of the dates of the case resolution conference, the prehearing conference and the evidentiary hearing before the Board. (St. Exhs. 1-2, T. 37-39) Mr. Watkins did not respond to the charges. No attorney contacted the Administrative Prosecutor on Mr. Watkins' behalf. Moreover, Mr. Watkins failed to appear at the evidentiary hearing, or otherwise refute the evidence and witness testimony presented by the State.

FINDINGS OF FACT

Having considered the entire record, the documentary and testimonial evidence presented by the State at the hearing, and the arguments of the Administrative Prosecutor, the Board finds the following facts by a preponderance of the evidence:

1. At all times relevant to the charges in this case, Mr. Watkins was certified to practice as a certified supervised counselor – alcohol and drug (“CSC-AD”) in the state of Maryland. (St. Exh. 4, p. 3) Mr. Watkins was originally certified in Maryland under certificate number SC01291 on February 2, 2004.

2. At all times relevant to the Board's charges, Mr. Watkins was employed by Facility A - an in-patient drug and alcohol treatment facility - as an alcohol and drug counselor, from July, 2005 to May, 2006. (St. Exhs. 6, 7, 9; T. 18-22)

3. In June, 2006, the Board received a complaint from a patient who had been treated for heroin and cocaine addiction at Facility A and had received counseling from Mr. Watkins. The complaint alleged that Mr. Watkins made inappropriate sexual advances, initiated inappropriate physical contact, such as touching, hugging, and

kissing, and engaged in sexually inappropriate discussions during therapy sessions and at other times with the complainant, Patient A. (St. Exh. 3)

4. On November 1, 2006, Board staff conducted a sworn, transcribed interview with Patient A. (St. Exh. 5)

5. On February 28, 2007, Board staff conducted a sworn, transcribed interview with Mr. Watkins. (St. Exh. 6)

6. The Board's investigation revealed that the following events occurred during Patient A's individual therapy sessions and at other times with Mr. Watkins: (St. Exhs. 3, 5, 7, 8)

a) Mr. Watkins treated Patient A from approximately April 25, 2006 until May, 2006. Patient A saw Mr. Watkins for individual therapy twice weekly and for additional group therapy sessions (St. Exhs. 3, 5, 8);

b) In her complaint and at her November 2006 interview, Patient A reported that when she began the program at Facility A, Mr. Watkins told her that he needed to complete a biography as part of the client intake form. He then proceeded to ask her questions about her sexual history and sex life. Patient A reported that she was later informed by staff at Facility A that the patient biography did not include questions on sexual history (St. Exhs. 3, 5, 6);

c) Patient A reported that she confided to Mr. Watkins that she suffered from low self-esteem, and that he encouraged her by telling her that she was a beautiful girl, and that she deserved better than to be out on the street using drugs. Patient A reported that initially she felt that Mr. Watkins was "a good counselor, you know, just trying to make me feel better" (St. Exhs. 3, 5);

d) Patient A also reported that in or about May, 2006, Mr. Watkins began to make inappropriate personal comments about her appearance, such as ". . . oh you got your shine back . . . you're looking good, putting some meat on your bones . . ." Patient A reported that during one therapy session, Mr. Watkins invited her to contact him after she left the program to initiate a personal relationship, portrayed a future sexual encounter that he wished to have with her in crude, sexually explicit language, and grabbed her buttocks (St. Exhs. 3, 5);

e) Patient A also reported that Mr. Watkins came uninvited to her room at Facility A, and hugged her, played with her hair, and attempted to kiss her. Patient A reported that when she was in Mr. Watkins' office to make a phone call, he told her that she was looking good and again grabbed her buttocks (St. Exhs. 3, 5);

f) In addition, Patient A reported that Mr. Watkins made another uninvited visit to her room, but left when she opened the door and he saw that her roommate was in the room (St. Exhs. 3, 5);

g) Patient A further reported that other female patients at Facility A informed her that Mr. Watkins had made sexually inappropriate advances and sexually explicit comments to them (St. Exhs. 3, 5);

h) Patient A disclosed the fact that Mr. Watkins had made sexual advances towards her to a female counselor, who reported the incidents to the facility manager. Patient A filed a grievance which was investigated by Facility A (St. Exhs. 3, 5, 7);

7. Mr. Lippens, Facility A's Program Director, conducted an investigation and completed an investigative report. The facility determined that Mr. Watkins had engaged in sexually explicit conversations and made inappropriate sexual advances towards Patient A, including touching her thigh and buttocks twice, and attempting to kiss her (St. Exh. 7);

8. Mr. Lippens also interviewed another patient, Patient B, who stated that during a discussion of her sexual history, Mr. Watkins used sexually crude language, engaged in sexual banter and indicated that he wanted to engage in sexual activity with her. Patient B stated that when she went to Mr. Watkins' office to complete paperwork, he inappropriately hugged her and rubbed her neck on more than one occasion. Patient B also filed a grievance against Mr. Watkins (St. Exh. 7);

9. Mr. Lippens also interviewed Patient C, who reported that she had engaged in sexual activity multiple times with Mr. Watkins in a bathroom located in his office. (St. Exh. 7) In his testimony at the hearing, Mr. Lippens stated that Mr. Watkins admitted having sexual intercourse and oral sex with Patient C in Mr. Watkins' bathroom at the facility. (T. 33-35) In addition, Mr. Watkins told Mr. Lippens that he already knew

Patient C before her treatment at the facility because he had previous sexual encounters with her when she was a prostitute. (T. 29, 33-34)

10. In his report, Mr. Lippens stated that other female patients also had complaints regarding Mr. Watkins making sexually inappropriate advances towards them (St. Exh. 7);

11. Mr. Lippens suspended Mr. Watkins pending the investigation and scheduled a meeting on or about May 23, 2006 with Mr. Watkins to discuss the allegations. (St. Exh. 7) Mr. Watkins agreed to resign, with the understanding that Facility A would accept his resignation. Mr. Watkins subsequently resigned from his position at Facility A (St. Exh. 7);

11. The Board sent notice by regular and certified mail to Mr. Watkins at his address of record on multiple occasions of the charges pending against him, of the scheduled dates of the case resolution conference, prehearing conference and the evidentiary hearing in his case. Mr. Watkins failed to respond to the charges. No attorney contacted the Administrative Prosecutor on Mr. Watkins' behalf. (St. Exhs. 1, 2; T. 37-39)

12. Mr. Watkins failed to appear in person or through counsel for the evidentiary hearing or any of the Board's disciplinary proceedings (St. Exhs. 1, 2; T. 37-39, 43).

9. In light of the unrefuted testimonial and documentary evidence presented at the evidentiary hearing, the Board finds that Mr. Watkins used his position as a certified supervised counselor at Facility A to enter into predatory sexual relationships with female patients at the facility, relationships that damaged the interests and welfare of these vulnerable patients in recovery from drug addiction. Mr. Watkins not only used

inappropriate sexual language in his therapeutic interactions with Patient A , but engaged in sexual exploitation, harassment and forcible sexual behavior with her and with Patient B. In addition, Mr. Watkins engaged in sexual intercourse and oral sex with Patient C. (St. Exhs. 1-9; T. 1-43)

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, and after considering the entire record in this case, the Board concludes that Mr. Watkins violated Md. Code Ann., Health Occ. §17-313 (4), (5) and (9), and COMAR 10.58.03.04 B (3), COMAR 10.58.03.05 A (2), and COMAR 10.58.03.09 A and E.

SANCTION

As an alcohol and drug counselor certified by the Board, Mr. Watkins is subject to the standards and policies adopted by the Board and embodied in the law and regulations. In his interactions with Patients A, B and C at Facility A, Mr. Watkins's behavior was reprehensible. He ignored his ethical duties as a certified alcohol and drug counselor and repeatedly violated the Professional Counselors and Therapists Act and the Board's ethical regulations. (The Board's charges of December 10, 2010 are incorporated into this decision and attached as Attachment A.) Mr. Watkins' predatory conduct with emotionally vulnerable patients merits permanent revocation of his certificate as an alcohol and drug counselor.

ORDER

It is this __23rd__ day of September, 2011, by a majority of the members of the Board:

ORDERED that the Board's charges against Renault Watkins, CSC-AD, Certificate Number SC01291, under Md. Code Ann., HO § 17-313 (4), (5) and (9),

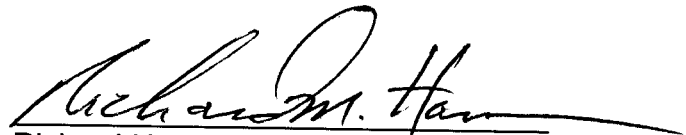
COMAR 10.58.03.04 B (3), 10.58.03.05 A (2), and 10.58.03.09 A and E be **UPHELD**;
and it is further

ORDERED that the certificate of Renault Watkins, CSC-AD, Certificate Number
SC SC01291, be **PERMANENTLY REVOKED**; and it is further

ORDERED that the Board will not consider any future application for certification
or licensure from Mr. Watkins; and it is further

ORDERED that this is a Final Order and as such is a **PUBLIC** document
pursuant to Md. State Gov't Code Ann. §§ 10-611 et seq. (2009 Repl. Vol.)

9/23/11
Date


Richard Hann, LCPC, Chair
Maryland State Board of Professional
Counselors and Therapists

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Health Occ. Code Ann. § 17-512, Mr. Watkins has the right to take a direct judicial appeal. Any appeal shall be filed within thirty (30) days from the date of mailing of this Final Decision and Order and shall be made as provided for judicial review of a final decision in the Maryland Administrative Procedure Act, Md. State Gov't Code Ann., § 10-222 and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If Mr. Watkins files an appeal, the Board is a party and must be served with the court's process. In addition, Mr. Watkins is requested to send a copy to the Board's counsel, Noreen M. Rubin, Esq., at the Office of the Attorney General, 300 W. Preston Street, Suite 302, Baltimore, Maryland 21201. The Administrative Prosecutor is no longer a party to these proceedings at this point and need not be served or copied.