

IN THE MATTER OF * **BEFORE THE MARYLAND STATE**
GERSHON SONNENSCHNEN, LCPC * **BOARD OF PROFESSIONAL**
Respondent * **COUNSELORS AND THERAPISTS**
License Number: LC4768 * **Case Number: 2019-102**

* * * * *

ORDER FOR SUMMARY SUSPENSION

The Maryland State Board of Professional Counselors and Therapists (the “Board”) hereby **SUMMARILY SUSPENDS** the license of **GERSHON SONNENSCHNEN, LCPC** (the “Respondent”), License Number LC4768, to practice as a Licensed Clinical Professional Counselor (“LCPC”) in the State of Maryland. The Board takes such action pursuant to its authority under Md. Code Ann., State Gov’t § 10-226(c) (2014 Repl. Vol. & 2020 Supp.), concluding that the public health, safety or welfare imperatively requires emergency action. In addition, the Board takes such action pursuant to its authority under Md. Code Regs. (“COMAR”) 10.58.04.10, concluding that there is substantial likelihood that the Respondent poses a risk of harm to the public health, safety, or welfare.

INVESTIGATIVE FINDINGS

The Board bases its action on the following findings:¹

I. BACKGROUND

1. At all times relevant, the Respondent was authorized to practice clinical professional counseling in the State of Maryland. The Respondent was originally licensed

¹ The statements regarding the Board’s investigative findings are intended to provide the Respondent with notice of the basis of the summary suspension. They are not intended as, and do not necessarily represent,

to practice as an LCPC in the State of Maryland on November 14, 2012, under License Number LC4768. The Respondent's license is scheduled to expire on January 31, 2022.

II. COMPLAINT

2. The Board received a complaint dated June 18, 2019, filed by the Director of Business Operations and Quality Assurance (the "Complainant")² from the Respondent's former employer (the "Employer") alleging the Respondent hugged a client (the "Client") and asked the Client if the Respondent could kiss her. The Complaint attached journal notes that the Client provided to the Employer documenting the incident.

3. After receiving the complaint, the Board initiated an investigation of the Respondent under Case Number 2019-102.

III. BOARD INVESTIGATION

4. As part of its investigation, the Board obtained personnel records from the Employer, treatment records from the Employer for the Client, and emergency room discharge paperwork for the Client. The Board also interviewed the Client and the Respondent.

5. At all times relevant, the Respondent practiced as a therapist at the Employer from on or about April 19, 2017 until June 28, 2019, when the Respondent resigned.

a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

² For confidentiality and privacy purposes, the names of individuals and facilities involved in this case are not disclosed in this document. The Respondent may obtain the names of all individuals and facilities referenced in this document by contacting the administrative prosecutor.

6. A review of the Client's records from the Employer revealed the Client first presented at the Employer on July 10, 2018, complaining of depression, anxiety, and PTSD. The Client was assigned to the Respondent and participated in five individual therapy sessions, all with the Respondent – July 16, 2018; July 26, 2018; August 9, 2018; September 6, 2018; and September 20, 2018.³ Throughout these five sessions the Respondent documented that he discussed several issues with the Client, including but not limited to, the Client's history of trauma and sexual abuse, her issues with intimacy, and her lack of self-advocacy. Examples of this documentation include:

- a. At the very first session on July 16, 2018, the Respondent documented that the Client is a 28-year-old female with a “long history of depression and social anxiety” with “some elements of trauma” and that the Client “wants to move forward[,] find clarity[,] reduce feelings of depression[,] deal with trauma and figure out current relationship status.” The Respondent also documented that the Client was “molested when in elementary [school] . . . did not say anything till [*sic*] she got older.”
- b. At the second session on July 26, 2018, the Respondent documented that the Client said she was never told “she was loved or hugged” by her mother and “she feels anger comes from there.”

³ The Client also had a session that was scheduled for October 4, 2018, which was canceled because the Client was “no longer interested in therapy.”

- c. At the third session on August 9, 2018, the Respondent documented that the Client's "lack of being nurtured and feeling any sense of love from her mother affects her to this day."
- d. At the fourth session on September 6, 2018, the Respondent documented that the Client was depressed because she had been in a relationship for ten years "and now has no feelings for him" and the Client wanted to be "alone but lacks the courage to speak up."

7. A review of the journal entries attached to the Complaint, which were documented by the Client, revealed the Client documented the following:

Today I had a therapy session with my therapist at [the Employer] at 10am with [the Respondent]. In today's session (9/20/18), . . . when the session was over. Before opening the door to leave out. He asked for a hug. I reached nd [sic] gave him a hug with one hand. He was holding on tight while I was tryna [sic] keep it a little distant. I had almost fell over from him pulling me close. He asked if I wanted him to stop hugging me "I said YES". Then he touched my shoulders and pulled me away to ask me again. As if he couldn't believe I was saying stop. Nd [sic] "I said No" I felt like tht [sic] kid again being abused. Trying to speak up nd [sic] it didn't work. I lost my voice that fast. As he's hugging me he lays my head on his shoulder while rubbing my back up and down (felt like he was caressing me). He repeatedly asked me "what I wanted from him". I didn't answer because at this point I felt violated. He then grabs my face with the palm of his hand on each side. He asked me "If I wanted a kiss", I said no (at this point he was holding my face nd [sic] we were looking each other in the eye). . . . I came outside nd [sic] cried. . . . Afterwards I felt betrayed. I thought therapy was suppose to be liberating. I thought I could trust this stranger. He act as if he cared. Instead he used the fact that I was vulnerable, going through hardship to take advantage. I've confided in him about my previous sexual abuse as a kid. The fact that I suffer from ptsd because of it. He made everything worst [sic]. . . . I have a appt. on

10/4/18 but im [sic] not going back. Scared to call nd [sic] cancel it. In the appointment before this one on 9/6/18. He asked for a hug after the session was over. I thought it was weird and awkward. I agreed even though I felt so uncomfortable.

8. On February 3, 2021, the Board's investigator interviewed the Client, at which time, the Client stated the following:

- a. At the end of one of the sessions the Respondent asked her for a hug. She thought it was "weird" but acquiesced anyway.
- b. Before she left the next session the Respondent stopped her and asked for a hug again, which she thought was "really getting weird." While the Respondent was hugging her, he was holding her "so tight to where as though, you know, like you may like stumble, like you fall over. So it was like him pulling me closer." While the Respondent was hugging her he rubbed/caressed her back and asked her "is there anything . . . you want from me." Then, the Respondent pulled himself apart from the Client and "put the palms of his hands on my face" and asked "do you want to kiss?" The Client said "no."
- c. After the second incident, the Client went to the emergency room for emotional distress.
- d. The Client explained that she did not immediately report the incidents to the Employer or file a complaint because she was scared and afraid of retaliation. The Client further explained that she was scared that "if I make a complaint, I didn't want them to like say something to him

and then he try to find a way to contact me. Because, at this point, . . . they have access to all my information, like my address and everything.” But the thought that the Respondent “could be harming someone else lingered in my mind from time to time, and I just like, you know, I wouldn’t want him doing this to anyone else. So let me just say something” and then she called the Employer and reported it.

9. The Client provided the Board’s investigator with discharge paperwork from an emergency department which revealed that the Client arrived at the emergency department on September 21, 2018 at 4:46 p.m. and was discharged at 7:14 p.m. The diagnoses was listed as alleged assault and anxiousness.

10. On April 6, 2021, the Board’s investigator interviewed the Respondent under oath, at which time, the Respondent stated the following:

- a. “I deny anything of any nature of anything that resembles anything.”
- b. “I didn’t say any of these things. . . . I don’t rub backs. I don’t touch. I don’t make statements for this.”
- c. “I never touched, I never put my hands on, I never put my back on, my hands on anyone’s back. I never hugged someone disrespectfully or without, with, not without or with any, in any, in any form because it would have shown that I did not treat that person with respect.”
- d. However the Respondent admitted that at the beginning of his employment with the Employer he did hug a female client when she

was crying and put her arms out. He stated that he was verbally reprimanded by the Employer for this.

- e. Regarding the complaint in this case, the Respondent stated, “why would someone . . . keep on coming back if there are indications of some level of abuse? Why do you return to the abuse if you say that, that it occurred at previous sessions?”
- f. This was the first time he has heard the name of the Client involved with this complaint. He stated that he requested the Client’s name at the time he was notified of the allegation, but the Employer refused to give it to him. He explained that he asked the Employer for the Client’s name “because if I have to return charges to them for whatever I can, I will. . . . I might have to consider taking legal action against this person and, and my reputation and my career is at stake here.”

CONCLUSIONS OF LAW

Based on the foregoing facts, the Board concludes that the public health, safety or welfare imperatively require emergency action in this case, pursuant to Md. Code Ann., State Gov’t § 10-226 (c)(2) (2014 Repl. Vol. & 2020 Supp.).

In addition, the Board concludes as a matter of law that there is a substantial likelihood that the Respondent poses a risk of harm to the public health, safety, or welfare, and that the public health, safety, and welfare require the immediate suspension of the Respondent’s license pursuant to COMAR 10.58.04.10.

ORDER

Based on the foregoing, it is by a majority of the Board considering this case:

ORDERED that pursuant to the authority vested by Md. Code Ann., State Gov't § 10-226(c)(2), the Respondent's license to practice as a Licensed Clinical Professional Counselor in the State of Maryland, License Number LC4768, is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that the Respondent has the opportunity to appear before the Board for a post-deprivation show cause hearing. A request for a post-deprivation show cause hearing must be in writing and be made **WITHIN THIRTY (30) DAYS** of service of this Order.

The written request should be made to:

Tony W. Torain, Executive Director
Maryland State Board of Professional Counselors and Therapists
4201 Patterson Avenue
Baltimore, Maryland 21215-2299
Fax: 410-358-1610

With copies to:

Kelly Cooper, Assistant Attorney General
Maryland Office of the Attorney General
Health Occupations Prosecution & Litigation Division
300 West Preston Street, Suite 201
Baltimore, Maryland 21201
Kelly.cooper@maryland.gov

and it is further

ORDERED that if the Respondent fails to request a post-deprivation show cause hearing in writing in a timely manner, or if the Respondent requests a post-deprivation

show cause hearing but fails to appear when scheduled, the Respondent's license will remain **SUSPENDED**; and it is further

ORDERED that on presentation of this Order, the Respondent **SHALL SURRENDER** to the Board, the following items:

- (1) the Respondent's original Maryland Licensed Clinical Professional Counselor License LC4768; and
- (2) the Respondent's wallet card and wall license; and it is further

ORDERED that this is an Order of the Board and, as such, is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Provisions §§ 4-101 *et seq.* (2019).

August 20, 2021

Date



Jeffrey M. Galecki, MS, LCADC, LCPC
Board Chair
Maryland State Board of Professional
Counselors and Therapists