

IN THE MATTER OF
ALICE WRIGHT, TRAINEE
Respondent

Certificate No. ADT811

* **BEFORE THE**
* **STATE BOARD**
* **OF**
* **PROFESSIONAL COUNSELORS**
* **AND THERAPISTS**
* **Case No. 2013-18**

* * * * *

FINAL ORDER TO RESCIND TRAINEE STATUS

On May 17, 2017 the State Board of Professional Counselors and Therapists (the "Board") hereby notified **ALICE WRIGHT, Alcohol and Drug Trainee** (the "Respondent"), of its intent to rescind her trainee status to practice alcohol and drug counseling under the supervision of an approved alcohol and drug supervisor, pursuant to the Maryland Professional Counselors and Therapists Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 17-101 *et seq.* (2014 Repl. Vol. II).

The pertinent provisions of the Act provide the following:

H.O. § 17-406. Practicing without license or certification - Alcohol and drug counselors.

(b) *Permitted under certain conditions.*

- (2) An individual may practice alcohol and drug counseling without certification for a limited period of time, as determined by the Board, if the individual is working as a trainee under the supervision of an approved alcohol and drug supervisor while fulfilling the experiential or course of study requirements under § 17-302 of this title or § 17-402, § 17-403, or § 17-404 of this subtitle.

H.O. § 17-509. Denial, probation, suspension or revocation of certificate applicant or holder.

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 a license or certificate to any applicant . . . if the applicant, licensee or

certificate holder:

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

The Board further rescinds the status based on its Code of Ethics, Code Md. Regs. ("COMAR") tit. 10 § 58.03 (2001) provide:

.03 Professional Competence.

B. An impaired counselor shall:

- (1) Suspend, terminate, or limit professional activities if the counselor determines that he or she is unable to continue professional activities; or
- (2) Seek competent professional assistance to determine whether to suspend, terminate, or limit the scope of professional or scientific activities if a counselor becomes or is made aware that personal problems interfere with providing or conducting counseling or therapy services.

.04 Ethical Responsibility

A. A counselor shall:

- (11) Be familiar with and adhere to this chapter;
- (14) Take reasonable precautions to protect clients from physical or psychological trauma.

B. A counselor may not:

- (2) Participate in dishonest, fraudulent or deceitful activity in the capacity of a counselor;
- (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:
 - (a) 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; and
 - (b) Take appropriate measures, including but not limited to, informed consent, consultation, supervision, and documentation to ensure that judgment is not impaired and no exploitation occurs if a dual relationship cannot be avoided.

D. Termination and Referral.

- (1) Termination may occur if:
 - (c) A counselor is unable to competently and ethically perform duties;

.09 Sexual Misconduct.

- A. A counselor may not engage in sexual misconduct with a client or supervisee. Sexual misconduct includes but is not limited to:
 - (1) Inappropriate sexual language;
 - (2) Sexual exploitation;
 - (3) Sexual harassment;
 - (4) Sexual behavior; and
 - (5) Therapeutic deception.

- B. Concurrent Sexual Relationships. A counselor may not engage in either consensual or forced sexual behavior with:
 - (1) A client [;].
- 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.
 - (2) A counselor may not terminate professional services or a professional relationship with a client in order to enter into a nonprofessional, social, or sexual relationship with a client or an individual with whom a client has a close personal relationship.

FINDINGS OF FACT

The Board based its rescission of the Respondent's trainee status on the following facts:

1. At all relevant times hereto, the Respondent was an Alcohol and Drug Trainee in the State of Maryland authorized, at the Board's discretion, to practice alcohol and drug counseling under the supervision of an approved supervisor (Supervisor A) at a treatment facility (Facility A) that provides substance abuse treatment and counseling in Baltimore County, Maryland.¹

2. The Respondent was granted alcohol and drug trainee status on or about May 14, 2010. Her trainee status expired on June 14, 2015. The Respondent's status is "non-renewed."

3. As part of the grant of alcohol and drug trainee status, the Respondent certified that she would inform the Board in writing of any change in supervision or employment.²

4. The Board received a complaint dated February 5, 2015, from an individual

¹The names of the individuals and entities herein are confidential.

²The application also indicated that a trainee who violates the Maryland Professional Counselors and Therapists Code of Ethics may not receive further consideration for certification or licensure (emphasis added).

(Complainant), which alleged the following:

A. The Complainant stated that her husband, Client A, had been a patient at Facility A for several years and a year ago was assigned a new counselor, the Respondent;

B. The Complainant stated that the Respondent engaged in a sexual relationship with her husband (Client A);

C. The Complainant further stated that, as a result of the affair, which she alleged started in June 2014 and ended in January 2015, Client A left home and he and the Respondent leased a home together;

D. The Complainant further stated that, even though her husband returned home, they have since separated;

E. The Complainant stated that she brought this to the attention of Facility A and that her husband met with personnel at Facility A and provided them with pictures, letters, and videos showing that the Respondent and her husband maintained constant telephone, text, and personal contact;

F. The Complainant alleged that her husband had been at Facility A for substance abuse, not marriage counseling, and that the Respondent took advantage of his vulnerabilities.

5. Client A, the Complainant's husband, also filed a complaint with the Board, and alleged the following:

A. Client A stated that the Respondent and he were "involved in a love affair from August 2014 until January 2015;"

B. Client A further stated that the first encounter occurred in August 2014

while he was on vacation with his wife and made a call to the Respondent about the location of a methadone clinic in Florida. The Respondent inquired if Client A had any distinguishing marks on his body, stating that this was a question the center would ask, to which Client A replied that he had a lot of tattoos on his upper body. The Respondent replied "Damn, just like I like them. I wish I would've met you five years ago;"

C. Client A stated that they had regular counselor sessions that would lead to private talks of what was going on in their personal lives, including specific details of their marriages;

D. Client A stated further that on October 19, 2014, the Respondent and Client A went out on their first date outside the program to National Harbor. He went to her home where she resided with her husband and picked her up;

E. Client A and the Respondent became intimate on October 25, 2014 and Client A enclosed pictures to show same;

F. Client A stated that on November 28, 2014, he left his wife and moved in with the Respondent at a place in Baltimore City;

G. Client A stated that he resided there until December 15, 2014 when he moved back with his wife. Client A further stated that, because the Respondent continued to call and text him afterwards, he and his wife separated;

H. On January 15, 2015, Client A left Facility A and relocated to another methadone clinic.

6. After Client A returned to his wife, the Respondent sent him a typed unsigned letter making reference to religion and intimate issues, including pregnancy.

7. After receiving these complaints, photos, an unsigned letter purportedly from the

Respondent, and videos, the Board's Investigator interviewed both Client A and the Respondent under oath in separate interviews as follows:

A. Client A:

- (1) Client A confirmed that he took the explicit sexual pictures and videos of the Respondent. In one picture, there is a picture of Client A's left hand surrounding the Respondent's genitals, which clearly depicts a unique identification mark on the inside of his left index finger—a scar;
- (2) Client A stated that when they first started having sexual encounters, they would often go to a hotel in Glen Burnie, Maryland. The Respondent would go in and pay for the room;
- (3) Client A also provided telephone records showing numerous phone calls and text messages between him and the Respondent and that later she put an app on the phone which scrambled the number;
- (4) Client A testified that the Respondent gave him the same type-written letter that arrived at the address which he and his wife shared together which his wife turned over to the Investigator which discussed intimate details about their relationship, including pregnancy test results. Client A stated that he tore the letter up, but his wife later produced a copy of it after it arrived at the forwarding address after they had moved;
- (5) Client A further stated that he still maintained contact with the Respondent because she claimed that she was pregnant with his child;
- (6) When asked why she was being uncooperative with the investigation, Client A stated that she told him that she was about to graduate and she

needed to keep her job because this was how she fed her kids.

B. The Respondent:

- (1) The Respondent denied having any outside relationship or contact with Client A;
- (2) Upon producing phone records which clearly displayed her contact with him on her cell phone while he was in Florida on vacation in August 2014, the Respondent acknowledged that she had several contacts with Client A but claimed that they were all initiated by Client A and were for professional reasons;
- (3) The Respondent adamantly denied having any sexual relationship with Client A and stated that the pictures and videos that Client A had on his cell phone were downloaded from her Facebook page and that the pictures were of her and her ex-husband;

8. The Respondent's employment was terminated from Facility A based on the relationship with Client A and the Respondent failed to notify the Board as she had certified that she would do if her employment changed.³

9. In addition, the Respondent failed to complete her training and coursework within the time allowed by the Board and failed to renew her training status.

10. As set forth above, by engaging in an inappropriate sexual relationship, the Respondent violated the terms of her training agreement, the Act and the Board's Code of Ethics, as set forth in § 17-509 (8), (9), (11), (13), (16) and tit. 10 § 58.03.03 B (1), (2), .04 A (11), (14), B (2), (3), .05 A (2) (a), (d), B(1) (a), (b), D (1) (c), .09 A (1), (2), (3), (4), (5), B (1) and C (1)

³After the Respondent was terminated from Facility A, according to the Complainant, the Respondent and Client A got "married."

and (2).

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent engaged in prohibited acts under the Act. The Board finds that the Respondent's demonstrated disregard for professional conduct and patient safety by engaging in a sexual relationship with a patient, as well as Respondent's disregard for the statutes and regulations in place to ensure that safety, makes her unfit to practice as a trainee or as a therapist in the State of Maryland. Consequently, the Board finds that the Respondent violated H.O. § 17-509 (8), (9), (11), (13), (16) and tit. 10 § 58.03.03 B (1), (2), .04 A (11), (14), B (2), (3), .05 A (2) (a), (d), B(1) (a), (b), D (1) (c), .09 A (1), (2), (3), (4), (5), B (1) and C (1) and (2).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 17th day of May 2017, the Board, by a majority of the quorum of the Board, hereby

ORDERED that the Respondent's trainee status to practice alcohol and drug counseling under the supervision of an approved alcohol and drug supervisor in the State of Maryland is hereby **RESCINDED**; and it is further

ORDERED that for purposes of public disclosure and, as permitted by Md. Code Ann. General Provisions §§ 4-101 *et seq.* (2014 Repl. Vol.), this document consists of the contents of

the foregoing Findings of Fact, Conclusions of Law, and Order, and is reportable to any entity to whom the Board is obligated to report; and it is a public Order.

May 17, 2017
Date

Carol Deel / KSC
Carol Deel, Ph.D., LCPC, LCMFT,
Board Chair
State Board of Professional Counselors and
Therapists