

IN THE MATTER OF	*	BEFORE THE MARYLAND
SYLVIA T. BRATTEN, LCSW-C	*	STATE BOARD OF
Respondent	*	SOCIAL WORK EXAMINERS
License Number: 08375	*	Case Number: 2015-2062

* * * * *

FINAL ORDER

On the 24th day of January, 2017, the Maryland State Board of Social Work Examiners (the "Board") notified **SYLVIA T. BRATTEN, LCSW-C** (the "Respondent"), License Number 08375, of its intent to revoke her license to practice clinical social work in the State of Maryland under the Maryland Social Workers Act (the "Act"), Md. Code Ann., Health Occ. II ("Health Occ. II") §§ 19-101 *et seq.* (2014 Repl. Vol.).

Specifically, the Board based its action on the Respondent's violation of the following provisions of the Act under Health Occ. § 19-311:

Subject to the hearing provisions of § 19-312 of this subtitle, the Board may deny a license to any applicant, fine a licensee, reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the applicant or licensee:

- (4) Commits any act of gross negligence, incompetence, or misconduct in the practice of social work; [and]
- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board[.]

With respect to § 19-311(6), the Board based its action on the Respondent's violation of the following provision of the Board's regulations under Md. Code Regs. ("COMAR") 10.42.03:

.05 Relationships.

- A. The licensee may not enter into a dual relationship with a client or an individual with whom the client has a close personal relationship.
- B. The Licensee may enter into a nonsexual relationship with an individual with whom the licensee's prior professional contact:
 - (1) Was of a brief, peripheral, or indirect nature; and
 - (2) Did not constitute a therapeutic relationship.
- C. The licensee may not engage in sexual misconduct with either current or former clients.

In its Notice, the Board informed the Respondent that she had the opportunity to request a hearing before the Board by submitting a request in writing to the Board's Executive Director within thirty days of service of this Notice. More than thirty days have elapsed since the service of the Notice on the Respondent, and the Respondent has not requested a hearing.

FINDINGS OF FACT

The Board makes the following findings of fact:

I. BACKGROUND

1. At all times relevant, the Respondent was and is licensed to practice clinical social work in the State of Maryland. The Respondent was originally licensed to practice clinical social work in Maryland on October 22, 1994, under License Number 08375. The Respondent's license is current through October 31, 2018.

2. At all times relevant, the Respondent was employed as a clinical social worker at a correctional facility ("Facility A")¹ in Maryland. The Respondent was in

¹ To ensure confidentiality, the names of individuals, hospitals and healthcare facilities involved in this case are not disclosed in this document. The Respondent may obtain the identity of the referenced individuals or entities in this document by contacting the administrative prosecutor.

charge of certain group therapy sessions at Facility A, which included a specific male inmate ("Client A"), that began in the summer of 2014 until her resignation from Facility A on or about January 26, 2015.

3. On or about April 15, 2015, the Board initiated an investigation of the Respondent after receiving two complaints from employees (the "Complainants") of Facility A, both stating that on January 26, 2015, the Respondent resigned in lieu of termination from her employment as a social worker at Facility A over allegations that she had an inappropriate relationship with Client A. The Complainants stated that Facility A's investigation revealed that the Respondent: received over 500 telephone calls from Client A; brought contraband (jewelry, cologne, DVDs, books, photographs and money) into Facility A for Client A; and provided money to Client A and his family.

II. BOARD INVESTIGATION

4. In the course of its investigation, the Board obtained a number of documents from Facility A's investigation, including a memorandum (the "Memorandum") to the Warden, dated January 20, 2015, regarding "Inappropriate Relationship, Ms. Sylvia Bratten, Social Work." Included in the Memorandum were transcribed telephone conversations between the Respondent and Client A, which revealed that they had engaged in an intimate relationship.

5. Another document from Facility A's investigation was a handwritten statement from the Respondent, dated January 26, 2015. In the statement, the Respondent stated in part:

As a liason (sic), I was at the table with [Client A] to run the group, which was twenty sessions long . . . It wasn't long after May or June 2014 when [Client A] handed me a letter, saying he was attracted to me and saw me as a very caring person. From that point a relationship developed with letters

written back and forth. [Client A] urged me to get a cheap phone to talk to each other. It took me until August if I remember correctly--to purchase a straight talk phone for 35 or 45 dollars . . . I was very nervous about talking on the phone with him because I knew it was wrong. He said no one will ever know. During those calls, he would vacillate being charming, complimentary--to being controlling, very angry, belittling and crossing. I believe he was bi-polar and I could help him . . . In September, he called as I was driving home and told me he needed money for commissary. I purchased a money order and sent it to his mother for him. Prior to that he asked for \$400.00 to send to his attorney. I don't know the attorney and I sent that to his mother, not knowing if she used it or [not]. He gave me his old ring he wore and asked for a replacement, which I did for \$500 . . . All through these months I talked to myself saying he is using me, telling me not to forget the money for commissary. He is much younger than I am, but with his romantic words and words of affirmation, I just fell for everything . . . Because of circumstances in my marriage, I was very gullible. The thoughts of someone his age would be attracted to me was unbelievable, but I got caught up in it. His controlling actions and hurtful words were constant, but only after telling me he cared about me.

I have disappointed so many people at [Facility A] who do care about me. I will have shamed my children for someone who really didn't care about my welfare

All of the above was not done with malice. I have not had other relations such as this with anyone else, anywhere I have worked. It is a hard lesson to know manipulation and falsehood. I have abused the profession and the work I have loved for the past 37 years. As a social worker, my job is to protect those in our care, not to hurt, and I have failed (underlining in original)

6. In a separate written statement to Facility A, dated January 28, 2015, the

Respondent stated:

During the groups I facilitated while [Client A] was present there was no untoward interaction. Each individual in the group would participate. I did not give him special treatment.

He assisted with cleaning the blackboard or written material that was taped to the board. There were three times he hugged me after the group ended and twice there was a kiss. No other type of intimacy occurred. (underlining in original)

7. On or about August 4, 2016, a Board investigator interviewed the Respondent at the Board's offices. During the interview, the following exchange occurred:

Q. Did you maintain proper documentation with your treatment sessions with [Client A]?

A. I think I did, if I can remember.

Q. What type of relationship did you have with [Client A]?

A. It was -- it was like a mother and -- and a son to begin with.

Q. Did it ever escalate to a romantic relationship?

A. On the phone, yes.

Q. Did he ever embrace you, hug you, kiss you?

A. There was no kissing. There might have been a hug.

Q. Excuse me for a minute. I'm trying to find something.

Okay. It states, there was a physical contact, sexual in nature, between Ms. Bratten and [Client A].

A. No, that is not true. I never had a sexual relationship with him.

Q. No, it said sexual in nature. There was physical contact, sexual in nature.

A. Sexual in nature?

Q. Right. Like the hugging and kissing.

A. I know he hugged me one time. I did not kiss him.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent's actions, including engaging in a sexual and/or romantic relationship with Client A while providing group therapy sessions to Client A at Facility A between in or around May or June 2014, until on or about January 26, 2015, constitute committing an act of misconduct in the practice of social work, in violation of Health Occ. II § 19-311(4); and violating regulations governing the practice of social work adopted and published by the Board, i.e. COMAR 10.42.03.05, in violation of Health Occ. II § 19-311(6).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is, by the affirmative vote of a majority of the Board considering this case:

ORDERED that the Respondent Sylvia T. Bratten, LCSW-C's license to practice clinical social work in the State of Maryland, under License Number 08375, be and hereby is **REVOKED**; and it is further

ORDERED that the Respondent is prohibited from practicing clinical social work in the State of Maryland; and it is further

ORDERED that this Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014).

4/13/2018
Date



Denise Capaci, LCSW-C
Board Chair
Maryland State Board of Social Work
Examiners

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. § 19-313(b) (2014 Repl. Vol.), you have a right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty (30) days of service of this Order and shall be made as provided for judicial review of a final decision in the Md. Code Ann., State Gov't II §§ 10-201 *et seq.* (2014 Repl. Vol.) and Title 7, Chapter 200 of the Maryland Rules.