

IN THE MATTER OF
RAQUEL CHERRY, LMSW
RESPONDENT

License Number: 23748

* BEFORE THE MARYLAND
* STATE BOARD OF
* SOCIAL WORK EXAMINERS
* Case Number: 2022-3139

* * * * *

CONSENT ORDER

On May 16, 2023, the Maryland State Board of Social Work Examiners (the “Board”) issued an *Amended Charges Under the Maryland Social Workers Practice Act* against **RAQUEL CHERRY, LMSW**, (the “Respondent”), License Number 17821 (Expired), charging her with violating the Maryland Social Workers Practice Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 19-101 *et seq.* (2021 Repl. Vol. and 2022 Supp.).

Specifically, the Board charged the Respondent with violating the following provisions of the Act:

§ 19-401. Practicing without a license

Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice social work in this State while representing oneself to be a social worker unless licensed by the Board.

On June 26, 2023, a Case Resolution Conference was held before a committee of the Board. As a resolution of this matter, the Respondent agreed to enter into this public Consent Order consisting of the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

The Board makes the following Findings of Fact:

I. Background

1. The Respondent was initially licensed to practice as a licensed master social worker (“LMSW”) in Maryland on May 16, 2018. The Respondent’s license had a status of “non-renewed” and was expired since October 31, 2020, until it was renewed on or about May 25, 2023.

2. At all times relevant, the Respondent was employed and worked at the Center¹, a residential facility in Montgomery County, Maryland.

II. Complaint

3. On or about April 10, 2022, the Board initiated a complaint against the Respondent following the Respondent’s submission of an application for advanced licensure. The complaint alleged that the Respondent submitted experience with her supervisor at the Center from November 2018 to August 2021. The complaint further alleged that the Respondent did not have a license to practice in Maryland after October 31, 2020 and that the contractual agreement for supervision submitted with the application was signed on July 30, 2021, which should have been initiated prior to the start of the supervision. The complaint also included a supervision verification form, which showed that the Respondent was working under supervision from November 2018 to August 2021 at the Center.

¹ To maintain confidentiality, facility, witness, and employer names will not be disclosed in this document.

4. Based upon the complaint, the Board initiated an investigation of the Respondent.

III. Board Investigation

5. On or about July 1, 2021, the Board sent a letter to the Respondent stating that the deadline to renew her license was June 30, 2021,² however, the Board did not receive an application for renewal or for a request to be placed on inactive status from the Respondent, and therefore the Respondent's license expired. The letter further stated that the Respondent may not use the title social worker, use the abbreviation LMSW, and may not practice, attempt to practice, or offer to practice social work in Maryland. The letter was sent to Respondent at her old Silver Spring address; by that time, she had relocated to Howard County, Maryland, and the letter was not forwarded by the USPS. Respondent's current address is now on file with the Board.

6. On April 22, 2022, the Board sent a subpoena to the Respondent's employer (the "Employer") requesting legible copies of the Respondent's personnel file. The Respondent's personnel file revealed that she was hired by the Employer on October 10, 2018 as a social worker. On or about December 13, 2019, the Respondent received an offer letter from the Employer to transfer to the position of therapist at the Center in Montgomery County, Maryland, and her employment in that capacity began on January 13, 2020. On or about May 23, 2022, Employer submitted a letter to the Board notifying them that Respondent was no longer employed at the Center effective May 20, 2022 and was

² The Respondent's license was originally due to be renewed by October 31, 2020, however, the deadline was extended to June 30, 2021, due to the State of Emergency.

transferred to the Employer's District of Columbia Facility because she was practicing social work in Maryland on an expired license. Since May 20, 2022, Respondent has not been practicing as a social worker in Maryland.

7. On or about April 22, 2022, the Board sent a subpoena to the Respondent requesting documents including a legible copy of her contract for supervision, supervision verification form, and supervision notes. The Board received documents including the Respondent's contract for supervision, supervision notes from her supervisor, and therapy notes from the Respondent's treatment sessions with clients at the Center. The Respondent submitted eighty-seven (87) therapy notes from her treatment sessions with clients. Forty-one (41) of the therapy notes include dates after June 30, 2021 until May 20, 2022 and included signatures and credentials noting that the Respondent was licensed to practice as a social worker in Maryland.

8. On or about April 22, 2022, the Board send a request to the Respondent for a response to the complaint. On or about May 12, 2022, the Board received a response from the Respondent which stated that she was unaware that her license was non-renewed. It further stated that she remembered reading a notice stating that her social work license didn't have to be renewed due to the pandemic, and that it was her understanding that the notice pertained to her Maryland license at the time.

9. On May 18, 2022, the Respondent's Supervisor was interviewed by the Board's Investigator. During the interview, the Respondent's Supervisor stated, in part:

- a. She is employed as a family service administrator at the Center.
- b. She became a Board approved supervisor on June 20, 2004.

- c. She was the Respondent's clinical supervisor from March 25, 2020 to July 13, 2021.
- d. She signed off on the Respondent's supervision documents when the Respondent informed her that she was going to apply for advanced licensure with the Board.
- e. She mistakenly signed the wrong date of July 30, 2021 on the Respondent's supervision verification form and was not aware that the Respondent's license expired.

10. On May 25, 2022, the Respondent was interviewed by the Board's Investigator under oath. During the interview, the Respondent stated, in part:

- a. She does not have a license to practice social work in Maryland currently. She became aware that her license was expired when she was notified that a complaint was filed.
- b. She is licensed to practice social work in the District of Columbia and is employed by the Employer at their site in the District of Columbia as a therapist.
- c. She admitted to practicing as a social worker at the Center in the State of Maryland from October 31, 2020 to May 20, 2022.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent practiced social work in Maryland without a license, in violation of Health Occ. § 19-401(a).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 19th day of September 2023, by a majority of the Board considering this case:

ORDERED that within sixty days of the date of this Consent Order, the Respondent shall pay a fine in the amount of **ONE THOUSAND DOLLARS (\$1000)** to the Board; and it is further

ORDERED that within one (1) year of the date of this Consent Order, the Respondent shall enroll in and successfully complete a total six (6) credit hours of Board-approved course(s) in professional ethics. The Respondent shall be responsible for submitting written documentation to the Board of her successful completion of these course(s). The Respondent understands and agrees that she may not use this coursework to fulfill any requirements mandated for licensure renewal. The Respondent shall be solely responsible for furnishing the Board with adequate written verification that she has completed the courses according to the terms set forth herein; and it is further

ORDERED that the Respondent may not apply to the Board for advanced licensure within one (1) year from the date of this Consent Order; and it is further

ORDERED that within five (5) business days of the date of this Consent Order, the Respondent shall provide to her current employer a copy of this Consent Order and provide documented verification to the Board within ten (10) business days of having done so; and it is further

ORDERED that if the Board has reason to believe that the Respondent has failed to comply with any term or condition of this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If 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 Respondent shall be given a show cause hearing before the Board; and it is further

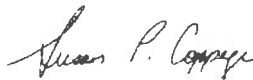
ORDERED that after the appropriate hearing, if the Board determines that the Respondent has failed to comply with any term or condition of this Consent Order, the Board may impose additional civil monetary fine upon the Respondent; and it is further

ORDERED that the Respondent shall not serve or continue to serve as: a Board authorized sponsor, presenter and/or trainer of social work continuing education learning activities, an ethics tutor, an evaluator for the Board, or a Board-approved supervisor for a period of five (5) years from the effective date of this Consent Order; and it is further

ORDERED that the Respondent shall be responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

ORDERED that the effective date of the Consent Order is the date the Consent Order is signed by the Board Chair or her designee. The Board Chair or her designee signs the Consent Order on behalf of the Board which has imposed the terms and conditions of this Consent Order; and it is further

ORDERED that this Consent Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Provisions §§ 4-101 *et seq.* (2019 Repl. Vol.).



Susan Coppage, LCSW-C
Board Chair
Maryland State Board of Social Work Examiners

CONSENT

I, Raquel Cherry, acknowledge that I am represented by counsel and have consulted with counsel before entering 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.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had 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 provided by the law. I agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed after any such hearing.

I sign this Consent Order after having an opportunity to consult with counsel, voluntarily and without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

9/8/23 _____
Date


Raquel Cherry

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF Howard

I HEREBY CERTIFY that on this 8th day of September, 2023, before me, a Notary Public of the foregoing State and City/County personally appear Raquel Cherry and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notary seal.

NEDA LAHIMI
Notary Public
Howard County
Maryland
My Commission Expires Sept. 12, 2026

Neda Lahimi
Notary Public

My commission expires: Sep 12, 2026