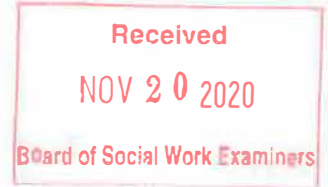


Brian Hollister Davis, LMSW
[REDACTED]
[REDACTED]



Gerard Farrell
Board Chair
Maryland State Board of Social Work Examiners
4201 Patterson Avenue
Baltimore, Maryland 21215

RE: Surrender of License to Practice as a
Licensed Masters Social Worker
License Number: 21303
Case Number: 2018-2530

Dear Mr. Farrell and Members of the Board:

Please be advised that pursuant to Md. Code Ann., Health Occ. § 19-310 (2014 Repl. Vol. & 2019 Supp.) I have decided to **SURRENDER** my license to practice social work, in the State of Maryland, License Number 21303, effective upon the acceptance of this letter by the Board Chair. I understand that upon the Maryland State Board of Social Work Examiner's (the "Board's") acceptance of this letter of surrender, I may not represent to the public by title, description of services, methods, procedures, or otherwise that I am a licensed certified social worker. Moreover, I understand that I may not practice social work, clinical or otherwise, as defined in the Maryland Social Workers Act (the "Act"), Md. Code Ann., Health Occ. §§ 19-101 *et seq.*

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT**, and upon the Board's acceptance, becomes a **FINAL ORDER** of the Board. I also understand that the surrender of my license means that I am in the same position as an unlicensed individual.

My decision to surrender my license to practice social work in the State of Maryland was prompted by an investigation of my license by the Maryland State Board of Social Work Examiners (the "Board").

I acknowledge that the Board's investigation was based upon a complaint to the Board alleging that I violated professional boundaries and engaged in an unprofessional relationship with a family of clients that included an adult mother, her 9-year-old

daughter, and her 7-year-old daughter, (“Mom”, “Child 1”, and “Child 2”). The Board’s investigation revealed the following:

- I entered into an employment agreement with the Practice in July 2017 to work as social worker to provide primarily in-home counseling to clients.
- I provided in-home counseling to Mom, Child 1 and Child 2 from August 2017 until October 2018.
- In my September 2018 Quarterly Review, the Program Director indicated that I “should be cautious not to cross boundaries with patients.”
- During the time I was treating Mom, Child 1, and Child 2, I ate meals with the family on more than one occasion and gave the children and Mom gifts which included books, DVDs, and tree oil for antiseptic purposes.
- On one occasion, while I was treating Mom, Child 1, and Child 2, the Mom offered to have me drive the children to their father’s home for his scheduled visitation.
- On one occasion, Child 2 asked her father if I was going to be her new daddy.
- In October 2018, at the request of the children’s father, I ceased treating Child 1 and Child 2.
- From October 2018 until December 2018 I continued to treat Mom, but met with her at the Practice’s offices per the direction of my supervisors.
- After I ceased treating Child 1 and Child 2, in December 2018, the Father saw me arriving in the car with Mom, Child 1, and Child 2 at a school event. When we saw the Father, we turned the car around and left and Mom returned to the school event parking lot with just the children in the car. Mom told the Board Investigator that I had been with them to provide Mom counseling during the children’s school event.
- Mom and I admitted that we communicated with each other after I stopped treating the Mom when she needed advice about Child 1.
- I admitted having meals with the family blurred lines and possibly endangered the therapeutic relationship.
- I admitted, in hindsight, my conduct was unprofessional.
- I denied having an intimate or sexual relationship with the Mom.

The results of the investigation led the Board to issue disciplinary charges against me on or about May 26, 2020, under Case Number 2018-2530 under the following provisions of the Act, 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;
- (5) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work;
- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board;

The pertinent provisions of COMAR, the code of ethics, provide the following:

COMAR 10.42.03.03. Responsibilities to Clients.

...

B. The licensee may not:

...

- (3) Exploit a relationship with a client for personal advantage or satisfaction;

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.

...

C. 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.

COMAR 10.42.03.06. Standards of Practice.

...

B. A licensee may not:

(1) ...continue a professional relationship with a client when the competence or objectivity of the licensee is or could reasonably be expected to be impaired due to:

...

(b) The licensee's present...social, sexual, emotional...or other relationship with the client or a person associated with or related to the client; or

(2) Engage in other relationships that could limit the licensee's objectivity or create a conflict of interest or the appearance of a conflict of interest.

I met with the Board at a Case Resolution Conference held on or about July 13, 2020. I have decided to surrender my license to practice social work in the State of Maryland to resolve this matter and to avoid prosecution of the Charges.

I acknowledge that if the Board were to proceed with an evidentiary hearing in this matter, the State would be able to prove by a preponderance of the evidence that I violated certain provisions of the Act, including:

Health Occ. § 19-311:

(4) (commits any act of gross negligence, incompetence, or misconduct in the practice of social work);

(5) (engages in a course of conduct that is inconsistent with generally accepted professional standards 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), and the following underlying violations:

COMAR 10.42.03.05A (the licensee may not enter into a dual relationship with a client or an individual with whom the client has a close personal relationship);

COMAR 10.42.03.05C (1) (the licensee may enter into a nonsexual relationship with an individual with whom the licensee's prior professional contact was of a brief, peripheral, or indirect nature; and (2) (did not constitute a therapeutic relationship.); and,

COMAR 10.42.03.06.B (a licensee may not) (1) (...continue a professional relationship with a client when the competence or objectivity of the licensee is or could reasonably be expected to be impaired due to (b) (the licensee's present...social, sexual, emotional...or other relationship with the client or a person associated with or related to the client; or (2) (engage in other relationships that could limit the licensee's objectivity or create a conflict of interest or the appearance of a conflict of interest.)

I acknowledge that the State cannot prove by preponderance of the evidence that I violated COMAR 10.42.03.03.B (the licensee may not:) (3) (exploit a relationship with a client for personal advantage or satisfaction.)

I recognize that for all purposes relevant to licensure that these allegations of fact set forth above will be treated as proven and that these allegations support a conclusion that I violated the Act as detailed herein.

I have voluntarily, knowingly, and freely chosen to submit this Letter of Surrender. I understand that, by the execution of this Letter of Surrender, I am waiving the right to contest the Board's Charges in a formal evidentiary hearing at which I would have 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 law, including the right to appeal.

I acknowledge that upon my execution of this Letter of Surrender, I shall surrender to the Board my Maryland social worker license, License Number 21303, including any wall certificate, renewal certificates, and wallet-sized renewal cards in my possession.

I understand that the Board will advise the Association of State Boards of Social Work, the National Practitioner Data Bank of this Letter of Surrender, any other required entities of this Letter of Surrender, and in response to any inquiry, that I have surrendered my license in lieu of disciplinary action under the Act as resolution of the matters pending against me. I also understand that in the event I would apply for licensure in any form in any other state or jurisdiction, that this Letter of Surrender, and all underlying documents, may be released or published by the Board to the same extent as a final order that would result from disciplinary action pursuant to Md. Code Ann., General Prov. §§ 4-101 *et seq.* (2014). Finally, I understand that this Letter of Surrender is considered a disciplinary action by the Board.

I recognize and agree that by submitting this Letter of Surrender, my license will remain surrendered unless and until the Board grants reinstatement of my license. I understand that if I apply for reinstatement of my Maryland license, the Board or its successor has absolute discretion to grant or deny my application for reinstatement. If the Board denies my application, I do not have the right to a hearing or for a judicial review of the Board's decision. If the Board does grant reinstatement, it may impose any terms and conditions the Board considers appropriate for public safety and the protection of the integrity and reputation of the profession. I further understand that if I file a petition for reinstatement, I will approach the Board or its successor in the same position as an individual whose license has been revoked. I also understand that if I apply for reinstatement, I bear the burden of demonstrating my profession competence and fitness to practice social work to the satisfaction of the Board.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. I have been advised of my right to be represented by an attorney of my choice throughout proceedings before the Board, including the right to consult with an attorney prior to signing this Letter of Surrender. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly, voluntarily, and without duress.

Sincerely,

October 19, 2020
Date


Brian Hollister Davis

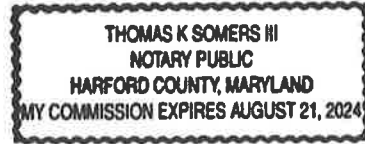
NOTARY PUBLIC

STATE/DISTRICT OF Maryland
CITY/COUNTY OF Harford

I HEREBY CERTIFY that on this 19 day _____ of
October, 2020, before me, a Notary Public of the State/District and

City/County aforesaid, personally appeared **Brian Hollister Davis**, and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was his voluntary act and deed.

AS WITNESS my hand and Notarial seal.



Thomas K. Somers III

Notary Public

My Commission expires: 08/21/2024

ACCEPTANCE

On this 20th day of NOVEMBER, 2020, I, Gerard Farrell, Board Chair, on behalf of the Maryland State Board of Social Work Examiners, hereby accept **Brian Hollister Davis' PUBLIC SURRENDER** of his license to practice social work in the State of Maryland pursuant to Md. Code Ann., Health Occ. § 19-310 (2014 Repl. Vol. & 2019 Supp.).

Gerard Farrell

Gerard Farrell
Board Chair
Maryland State Board of Social Work Examiners