IN THE MATTER OF	*	BEFORE THE
NATHAN D. EXOM	*	MARYLAND STATE BOARD
Respondent	*	OF SOCIAL WORK EXAMINERS
License Number: A04022	*	Board Case Number 12-1839

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FINAL DECISION AND ORDER

PROCEDURAL HISTORY

On May 10, 2013, the Maryland State Board of Social Work Examiners (the "Board") filed a Notice of Charges (Charges) under the Maryland Social Workers Act (Act) against Nathan D. Exom, (Respondent), alleging violations of the Social Work Practice Act, Md. Code Ann., Health Occ. § 19-311(2009).

The Board sent notice of the Charges to the Respondent by regular and certified mail at the Respondent's address of record with the Board. This notice included a scheduled date of a case resolution conference ("CRC") on May 30, 2013. The Charges were not returned by mail. The Respondent did not confirm his attendance at the CRC, and as such, the CRC was canceled. In addition, on June 4, 2013, the Administrative Prosecutor contacted Respondent by email to inform him of the next steps in the proceeding. The Respondent emailed in response, on June 5, 2013, that he had left the State of Maryland and had no plans to return.

On September 12, 2013, the Office of Administrative Hearings ("OAH") sent notice to the Respondent informing him that a pre-hearing conference was scheduled for 9:30am for October 31, 2013. This letter was not returned to the Board. Another notice was sent to the Respondent informing him of a hearing on the merits scheduled for 9:30am on December 12,

2013. These notices were returned to the Board with the notations "Return to Sender-Not at this Address-Not Deliverable as Addressed-Unable to Forward."

In addition, the Administrative Prosecutor, Tracee Orlove Fruman, mailed the Respondent a copy of the State's Pre-Hearing Conference Statement by first class mail to the Respondent's address on record with the Board, that is the same address to which all prior letters and notices had been sent, and this was not returned. The Respondent did not file a Prehearing Conference statement.

On October 31, 2013, a pre-hearing conference was held at OAH in Hunt Valley, Maryland at which neither the Respondent nor anyone authorized to represent him appeared. However, the Administrative Prosecutor appeared and, after waiting twenty minutes for Respondent to appear, the State made a Motion for Default (Motion) against the Respondent, which was supported by a written Motion for Proposed Default, including supporting documentation.

The Administrative Law Judge ("ALJ") granted the Motion for Proposed Default.

On November 12, 2013, the ALJ issued a Proposed Default Order proposing that (1) Respondent be found in default; (2) the Charges issued by the Board on May 10, 2013 be upheld; (3) the Respondent's license to practice social work in the State of Maryland be revoked; and that (4) all further proceedings be terminated. After considering the entire record, the Board issues this Final Decision and Order as the Board's final decision on this case.

FINDINGS OF FACT

The Board affirms the ALJ's proposed decision of default as set forth in the ALJ's Proposed Default Order, as well as the ALJ's proposed decision that the Board's charges for violations of H.O. §§ 19-311(4), (5), (6), (7) and (12) are uncontested, and the termination of all

further proceedings in this case. (The ALJ's Proposed Default Order is incorporated into this decision and appended as Attachment A). Mr. Exom was duly notified of the Board's investigation, of the charges, of the CRC, of the prehearing conference and of the evidentiary hearing scheduled in her case. Mr. Exom failed to respond to the Notice or to cooperate with the Board's investigation, and failed to appear in person or through counsel for the CRC or the prehearing conference scheduled on October 31, 2013.

The Board also adopts as findings of fact all of the Allegations of Fact, numbered in the Board's charging document issued in this case. (The Board's charging document is incorporated into this Final Decision and Order and appended as Attachment B). Due to Mr. Exom 's default, the Board finds that the factual allegations and charges are unrefuted.

In the Board's view, the totality of Mr. Exom 's conduct involved unprofessional conduct and misconduct in the practice of social work. In the absence of any evidence to the contrary, the Board adopts these charging allegations as factual findings, and further adopts the ALJ's proposed sanction of revocation.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated H.O. §19-311 (4), (5), (6), (7) and (12).

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

(5) Knowingly violates any provision of this title'

(6) Engages in a course of conduct inconsistent with generally professional standards in the practice of social work;

(7) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board; to wit: COMAR 10.42.03.03(A) The licensee shall: (5) Maintain documentation in the client's records which: (b) Accurately reflects the services provided, including treatment plans, treatment goals, and contact notes; and (c) Indicates the time and date the services were provided;

(12) Knowingly makes or files a false report or record in the practice of social work.

Further, the Board concludes that Mr. Exom was in default with respect to answering the charges, thus he has lost the right to contest them.

ORDER

It is hereby **ORDERED** by the Maryland State Board of Social Work Examiners that the Charges under the Maryland Social Work Practice Act issued against Nathan D. Exom, be **UPHELD**; and it is further

ORDERED that Nathan D. Exom's license to practice social work in the State of Maryland be **REVOKED**; and it is further

ORDERED that this is a Final Decision and Order of the Board, and as such, is a **PUBLIC DOCUMENT** pursuant to Md. State Gov't Code Ann. § 10-611 *et seq* (Repl. Vol. 2009).

12/17/13
Date

Judith M. Levy, LCSWC-C, Board Chair
Maryland State Board of Social Work Examiners