

Received

JUL 12 2017

IN THE MATTER OF
CRISTINE FISHER, LGSW

*

BEFORE THE
Board of Social
Work Examiners

*

MARYLAND BOARD

Respondent

*

OF SOCIAL WORK EXAMINERS

LICENSE NUMBER: G12143

*

CASE NUMBER: 15-2041

* * * * *

CONSENT ORDER

The Maryland Board of Social Work Examiners (the "Board") charged **Cristine Fisher, LGSW (the "Respondent")** license number **G12143**, with violating various provisions of the Maryland Social Workers Act (the "Act") codified at Md. Code Ann., Health Occupations II ("Health Occ.") §§ 19-101 *et seq.* (2014 Repl. Vol & 2016 Supp.) and corresponding regulations.

The pertinent provisions of the Act under § 19-311 provide the following:

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; [and]
- (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 Code Md. Reg. ("COMAR") provide the following:

tit. **10.42.03.**

03. Responsibilities to Clients.

5) Maintain documentation in the client's record which:

- (a) Is legible;

(b) Accurately reflects the services provided, including treatment plans, treatment goals, and contact notes;

(c) Indicates the time and date the services were provided;

(d) Protects the client's privacy by including only information directly relevant to the delivery of services;

(e) Is sufficient and timely to facilitate the delivery and continuity of services to be delivered in the future;

(f) Is reasonably accessible for the period required in Health General Article, §4-403, Annotated Code of Maryland, after termination of services; and

(g) Ensures that no confidential information is disseminated and identities are protected when computer and internet technologies are used.

Case Resolution Conference ("CRC") was held in this matter before a Board committee on May 17, 2017. The Respondent represented by counsel, and the Administrative Prosecutor assigned to the case participated in the CRC. As a result of negotiations at the CRC the parties agreed to the following Consent Order consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

The Board bases its charges on the following facts that the Board has reason to believe are true:

1. The Respondent was initially licensed as a licensed graduate social worker ("LGSW") on February 24, 2006. Her license expires on October 31, 2017.

2. At all times relevant, the Respondent was employed as a social worker with a Maryland Correctional Institution, hereinafter identified as Facility A. The Respondent began her employment at Facility A in 2008.

3. The Respondent's job duties at Facility A, included individual case management and individual and group counseling services to inmates. On or about January 23, 2015, the Board received a Complaint from a Complainant, a licensed social worker, who supervised the Respondent at Facility A.

4. The Complainant alleged that the Respondent failed to keep timely and adequate records for the clients she counseled at Facility A.

5. According to the Complainant, the Respondent resigned from her position at Facility A on November 6, 2014. After her departure, the Complainant discovered that the Respondent did not complete the documentation in some of her assigned cases. The missing documentation included contact notes; client consent forms for treatment; release of information forms; and missing documentation for aftercare referrals for clients.

6. The Complainant also alleged that the Respondent failed to keep complete group therapy notes for three separate groups.

7. After receiving the Complaint, the Board initiated an investigation.

8. In furtherance of its investigation the Board issued a subpoena to Facility A requesting Respondent's personnel file, copies of treatment records that were not completed and group therapy files that were left incomplete.

9. In response to the subpoena request the Complainant identified and produced documentation in nine cases, where the Respondent failed to adequately complete case notes; consent for social work service; consent for release of information; forms for SSA and/or Medicaid referrals, and aftercare referrals

10. The Respondent also failed to keep a completed note for each session of group treatment for the following three groups:

(a) Inside Out Parenting Group (12/13-4/14)

(b) Inside Out Parenting Group (6/14-9/14)

(c) Mature Choices (2/14-6/14)

11. Board staff interviewed the Complainant, who stated that she supervised the Respondent from 2008 until her departure in 2014.

12. According to the Complainant, the Respondent was counseled numerous times about her failure to timely complete the required documentation for client files, and provided with assistance to bring the files current.

13. The Complainant stated that the Respondent spent time performing activities that were not a part of her job duties, such as: assisting a veterans group; assisting inmates assigned to a canine training program; and providing assistance to inmates with legal issues.

14. The Complainant indicated that these performance issues were noted in the Respondent's personnel file, and corrective measures were initiated with the Respondent to assist her with prioritizing job duties, and limiting her involvement with issues not germane to her job classification.

15. The Complainant also stated that the Respondent reported that she was diagnosed with a medical condition, and that she [Complainant] attempted to accommodate that condition by providing the Respondent assistance and support with her record keeping issues.

16. On November 16, 2009, the Complainant issued a letter of counseling to the Respondent regarding completing inmate files in a timely manner, which included a plan of correction.

17. On August 9, 2012, the Complainant issued another counseling letter to the Respondent regarding timely completion of files, which included a plan of action to assist the Respondent with completing files.

18. On May 1, 2013, the Respondent received another counseling letter regarding deficiencies with completing files in a timely manner. This letter also included a plan of correction to bring files current.

19. Board staff interviewed the Respondent who stated that she began working at Facility A in 2008, but took family medical leave in 2009 to care for ill family members. She indicated that she experienced stress during this period as a result of personal and family medical issues.

20. The Respondent also stated that her social work license expired during this time without her knowledge. Her license was later reinstated, but she believes that this error caused difficulty with her relationship with her supervisor.

21. The Respondent explained that she had a demanding work load, and that she was trying to manage a personal diagnosed medical condition. The Respondent stated that these issues as well as the conflictual relationship with her supervisor impacted her efforts to do her job.

22. The Respondent admits that she had continuing difficulties with record keeping requirements during her years of employment at Facility A, and that she received formal

counseling from her supervisor and assistance to bring her files current. The Respondent stated that she accepted responsibility for failing to complete her file documentation in a timely manner.

23. The Respondent acknowledged that she resigned from her position at Facility A on November, 6, 2014.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact the Board finds that the Respondent's actions as described herein violated

- (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; and

The Respondent violated the following regulations: Code Md. Regs tit. 10.42.03.5.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 14th day of July, 2017, by a majority of the quorum of the Board considering this case hereby:

ORDERED that effective the date of this Consent Order:

1. **The Respondent shall pay a fine of \$1,000.00 (one thousand dollars);**
2. **The Respondent shall complete a Board approved continuing education course in record-keeping for social workers within one year of the effective date of this Consent Order;**

2. The course required under this Consent Order shall not count towards the courses required to maintain a social work license in the State of Maryland;

3. The Respondent shall be subject to a pre-renewal audit at the Board's discretion; and

BE IT FURTHER ORDERED that the Respondent's failure to comply with any of the conditions of this Consent Order in a timely manner as set out above shall be considered a violation of this Consent Order, and it is further;

ORDERED that if the Respondent violates any of the terms and conditions of this Consent Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing if there is a genuine dispute as to the underlying material facts, or an opportunity for a show cause hearing before the Board otherwise, may impose any other disciplinary sanctions that the Board may have imposed in this case, including additional probationary terms and conditions, reprimand, suspension, revocation and monetary penalty; and it is further

ORDERED that the Respondent shall comply with the Maryland Social Workers Act and all applicable laws, statutes and regulations; and it is further

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

ORDERED that this Consent Order is a **PUBLIC DOCUMENT** pursuant to Md. General Provisions §§ 4-104 *et seq.* (2014).

7/14/17

Date



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

CONSENT

I, Cristine Fisher, LGSW, License No. G 12143, by affixing my signature hereto, acknowledge that:

1. I am represented by counsel, Jon Cardin, Esquire, and I have consulted with counsel in this matter. I have knowingly and voluntarily agreed to enter 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.
2. I am aware that I am entitled to a formal evidentiary hearing, pursuant to Md. Health Occ. I, Code Ann. § 19-312 (2014 Repl. Vol.) and Md. State Gov't II, Code Ann. §§ 10-201 *et seq.* (2014 Repl. Vol.).
3. I acknowledge the validity and enforceability of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in 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 as provided by law. I am waiving those procedural and substantive protections.
4. I voluntarily enter into and agree to abide by the terms and conditions set forth herein as a resolution of the Charges against me. I waive any right to contest the Findings of Fact and Conclusions of Law, and I waive my right to a full evidentiary hearing, as set forth above, and any right to appeal this Consent Order or any adverse ruling of the Board that might have followed any such hearing.

5. I acknowledge that by failing to abide by the conditions set forth in this Consent Order, I may be subject to disciplinary actions, which may include revocation of my license to practice as a social worker.
6. I sign this Consent Order voluntarily, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

July 3, 2017
Date

Cristine Fisher
Cristine Fisher, LGSW
Respondent

NOTARY

STATE OF Maryland
COUNTY OF Baltimore City

I HEREBY CERTIFY that on this 3RD day of July, 2017, before me, a Notary Public of the State and County aforesaid, personally appeared Cristine Fisher, LGSW, License Number: G 12143, and gave oath in due form of law that the foregoing Consent Order was ^{her}his voluntary act and deed.

AS WITNESS, my hand and Notary Seal:

Karen M. Feldman
Notary Public

My Commission expires:

2/17/2019

