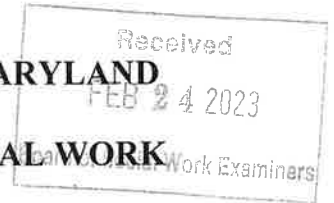


IN THE MATTER OF  
SHLOMO M. FIXLER, LMSW  
RESPONDENT

\* BEFORE THE MARYLAND  
\* BOARD OF SOCIAL WORK  
\* EXAMINERS



LICENSE NUMBER: 25026

\* CASE NUMBER: 21-2972

\* \* \* \* \*

CONSENT ORDER

The Maryland Board of Social Work Examiners (the “Board”) charged **Shlomo M. Fixler, LMSW**, License Number: **25026** (the “Respondent”), under the Maryland Social Workers Practice Act (the “Act”), Md. Code Ann., Health Occ. (“Heath. Occ.”) §§ 19-101 *et seq.* (2021 Repl. Vol. & 2022 Supp.). Specifically, the Board charged the Respondent with violating the following:

**Health Occ. § 19-311. Denials, reprimands, suspensions, and revocations-Grounds.**

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;
- (11) Makes or files a false report or record in the practice of social work[.]

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

**COMAR 10.42.03.06 Standards of Practice.**

A. Professional Competence. The licensee shall:

- (7) Document and maintain appropriate and accurate records of professional service, supervision, and research work[.]

**FINDINGS OF FACT**

1. At all times relevant hereto, the Respondent was licensed to practice as a licensed master social worker in the State of Maryland. The Respondent received his license on or about June 12, 2019. The Respondent's license expired on or about October 31, 2021. On or about November 1, 2021, the Respondent's license was placed on inactive status.

2. At all times relevant hereto, the Respondent was employed as a therapist at a facility (the "Facility") located in Maryland that provides mental health counseling to clients. While employed at the Facility, the Respondent provided therapy to children ("Facility Clients") attending schools in Baltimore City and Baltimore County Maryland.

3. The Respondent was employed at the Facility from September 2019 until his termination on or about April 7, 2021.

4. On or about May 7, 2021, the Board received a complaint regarding the Respondent's conduct while he was employed at the Facility. The Complainant was the Respondent's supervisor during his employment at the Facility.

5. In March 2021, the Complainant conducted a routine patient records review of Facility Clients assigned to the Respondent. The review of Facility Clients' patient records was for the period between February 2021 and April 2021.

6. During the review of Facility Clients' patient records, the Complainant discovered numerous inconsistencies in the patient records. In multiple instances, the Complainant noticed that the Respondent copied and duplicated his clinical notes in patient records. The Complainant noticed that the Respondent used identical clinical notes in patient records for different Facility Clients on at least one hundred (100) separate occasions. The Complainant also noticed that the Respondent used the wrong pronoun in his clinical notes to describe Facility Clients and used the same clinical notes for different Facility Clients.

7. On or about April 3, 2021, the Respondent was interviewed by the Complainant and other Facility staff members. During the interview, the Respondent attempted to minimize the number of times that he had copied or duplicated clinical notes in the patient records of his clients. However, the Respondent admitted that on several occasions he used the same clinical notes for different Facility Clients that were assigned to him.

8. On or about April 7, 2021, the Respondent was terminated by Facility staff.

9. After the Respondent was terminated by Facility staff, the Complainant conducted a further review of the patient records of the Facility Clients assigned to the Respondent between October 2020 and February 2021. The Complainant discovered even

more instances where the Respondent had copied and/or duplicated clinical notes of his Facility Clients.

10. The Respondent's conduct as set forth above is a violation of Health Occ. §19-311 (4), (5), (6), and (11); and COMAR 10.42.03.06 A (7).

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Health Occ. §19-311 (4), (5), (6), (11); and COMAR 10.42.03.06 A (7).

### **ORDER**

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

**ORDERED** that the Respondent license to practice social work shall be **SUSPENDED for a period of three (3) months**. The said suspension will commence after the Board determines that the Respondent is mentally competent to practice under the Act; and it is further

**ORDERED** that the Respondent shall undergo a mental health evaluation conducted by a Board-approved mental health provider before the Board will determine if he is competent to practice under the Act. The Respondent shall authorize release of his mental health records to the Board and the Board-approved mental health provide; and it is further

**ORDERED** that before said suspension is lifted, the Respondent shall provide proof satisfactory to the Board that he has completed all continuing education requirements for the period that his license was inactive and during the period of his suspension; and it is

further

**ORDER** that the said suspension shall not be lifted until the Respondent files a written request to the Board to have the suspension lifted and the Respondent's request to lift the suspension is approved by the Board; and it is further

**ORDERED** that once the said suspension is lifted, the Respondent shall be placed on **PROBATION** for a period of **TWO (2) YEARS** and until the Respondent has fully and satisfactorily complied with the following terms and conditions:

- (1) Within ten (10) working days of being placed on probation, the Respondent shall provide the Board of the name and contact information of his mental health provider.
- (2) Within ten (10) working days of being placed on probations, the Respondent shall provide his mental health provider with a signed copy of the Consent Order.
- (3) The Respondent shall meet with his mental health provider. The frequency that the Respondent meets with his mental health provider shall be based on the recommendation made by his mental health provider. The recommendation **shall be for no less than once per month.**
- (4) The Respondent shall ensure that his mental health provider submits quarterly reports to the Board during his probationary period.
- (5) In the event the mental health provider discontinues providing services to the Respondent for any reason, the Respondent shall immediately notify the Board and submit a replacement candidate to serve as his mental health provider under the terms specified above.
- (6) The Respondent shall enroll in and successfully complete Board-approved Ethics course that focuses on documentation. The Ethics course shall be at least three (3) continuing education credits. Promptly after the completion of the Ethics course, the Respondent shall provide documentation that he has completed this requirement. The continuing education credits obtained for the Ethics course required in this Consent Order shall be in addition to any

course required to satisfy the continuing education requirements for the applicable 2-year licensure renewal period.

- (7) Once the Respondent resumes the practice of social work, the Respondent shall submit the contact information for his employer and have his employer provide a copy of his duties once the Respondent resumes the practice of social work. The Respondent shall submit all information within **ten (10) days of the date of that the Respondent that he resumes the practice of social work.**
- (8) Once the Respondent resumes the practice of social work, the Respondent shall meet with a Board Approved Supervisor at least once per month and the Respondent shall also provide the Board Approved Supervisor with a signed copy of this Consent Order. The Respondent shall also ensure that the Board Approved Supervisor submits quarterly to the Board during the of his probationary period.
- (9) 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.
- (10) The Respondent shall comply with the Maryland Social Workers Act and all laws, statutes and regulations pertaining thereto; and it is further

**ORDERED** that at the conclusion of the probationary period, the Respondent may submit a written petition to the Board requesting termination of his probation. The Respondent must submit proof to the Board that he has satisfied the probationary terms and conditions set forth in this Consent Order. The Respondent must also submit proof to the Board that he has completed his continuing education requirements under the terms set forth in this Consent Order.

**ORDERED** that after consideration of the petition, the probation may be terminated, through an order of the Board. The Board may grant the termination if the

Respondent has fully and satisfactorily complied with all the terms and conditions under this Consent Order and there are no pending complaints; 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 facts, or an opportunity for a show cause hearing, may impose any sanction which the Board may have imposed in this case, including probationary terms and conditions, a reprimand, suspension, revocation and/or a monetary penalty; 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 this Consent Order is the date that it is signed by the Board; and it is further

**ORDERED** that this Consent Order is reportable to the National Practitioner Data Bank; and it further

**ORDERED** that this document constitutes a formal disciplinary action of the Board, and this Consent Order is final and is a public document for purposes of public disclosure, pursuant to Md. Code Ann., General Provisions § 4-101 & § 4-333 (2021 Repl. Vol. & 2022 Suppl.).

03/17/2023

Date



A handwritten signature in black ink, appearing to read 'Sondra Petty, LCSW-C, LICSW', is written above a horizontal line.

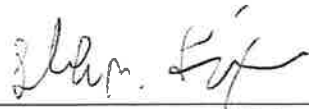
Sondra Petty, LCSW-C, LICSW, Board Chair  
Maryland Board of Social Work Examiners

**SHLOMO M. FIXLER, LMSW**

I, **SHLOMO M. FIXLER, LMSW** acknowledge that I am not represented by an attorney. By this Consent Order 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 waive any rights I may have to contest the Findings of Fact and the Conclusions of Law. 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 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 any such hearing. I sign this Consent Order, voluntarily and without reservation, after having an opportunity to consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

2-2-23

Date




Shlomo M. Fixler, LMSW



**NOTARY**

I HEREBY CERTIFY that on this 21 day of February, 2023 before me, a Notary Public of the State and City/County aforesaid, personally appeared, **SHLOMO M. FIXLER, LMSW, LICENSE NUMBER: 25026** and declared and affirmed under the penalties of perjury that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and Notarial seal.

  
\_\_\_\_\_  
Notary Public

My Commission expires: 7/19/2026

Mark Elliot Sobel  
NOTARY PUBLIC  
BALTIMORE COUNTY  
MARYLAND  
MY COMMISSION EXPIRES July 19, 2026

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