

IN THE MATTER OF * BEFORE THE STATE
RONALD CARL GOMPF, LCSW-C * BOARD OF SOCIAL WORK
Respondent * EXAMINERS
License Number: 01203 * Case No. 924

CONSENT ORDER

PROCEDURAL BACKGROUND

On October 14, 2005, the Maryland State Board of Social Work Examiners (the "Board"), charged Ronald Carl Gompf, LCSW-C, (the "Respondent") (D.O.B. 12/21/43), License Number 01203, under the Maryland Social Workers Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") § 19-101 *et seq.* (2000 Repl. Vol. & 2004 Supp.).

On November 11, 2005, the Board withdrew the Charges issued on October 14, 2005 and found them null and void. The Board issued Amended Charges on November 11, 2005 on the following pertinent provisions of § 19-311 of the Act:

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

Subject to the hearing provisions of § 19-312 of this subtitle, the Board, on the affirmative vote of a majority of its full authorized membership, may deny a license to any applicant, reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:

- (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 that is inconsistent with generally accepted 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;

- (11) Practices social work with an unauthorized person or supervises or aids an unauthorized person in the practice of social work;
- (12) Knowingly makes or files a false report or record in the practice of social work; or
- (14) Submits a false statement to collect a fee[;].

The regulation, which the Board voted to charge Respondent with violation of, is:

Code Md. Reg. tit.10 § 42.03.03 B:

In the capacity of or identity as a licensed social worker, the licensee may not:

- (1) Participate or condone dishonesty, fraud, deceit, or misrepresentation [;].

Respondent was notified of the Amended charges through service by regular mail on November 11, 2005. A hearing was scheduled for this matter before the Office of Administrative Hearings for February 27 through February 28, 2006.

On November 29, 2005, Respondent, his attorney, Ralph Wilson, Esquire, and Janet Klein Brown, Assistant Attorney General, Administrative Prosecutor, appeared before the Case Resolution Conference Committee (the "CRC") of the Board. As a result of negotiations with the Office of the Attorney General and the Board, Respondent agreed to enter into this Consent Order, consisting of Procedural Background, Findings of Fact, Conclusions of Law and Order, with the terms and conditions set forth below.

FINDINGS OF FACT

The Board makes the following findings of fact:

I. General Findings

- 1. At all times relevant to these charges, Respondent was and is a social worker licensed to practice social work in the State of Maryland.

2. At all times relevant to these charges, Respondent maintained and maintains an office for the private practice of social work in Pasadena, Maryland, under the name of Associated Psychotherapists of Maryland and Alcohol and Drug Education, Prevention and Treatment, a "State Certified Program."

3. At all times relevant to these charges, Respondent's practice was, and is, incorporated. Social Worker A¹ was, and is, the president of the corporation and Respondent was, and is, the secretary.

4. At all times relevant to these Charges, Respondent and Social Worker A have practiced social work together at the office in Pasadena, Maryland.

5. Respondent was originally issued a license to practice social work in the State of Maryland on June 19, 1977, being issued license number 01203.

6. On or about September 2002, Respondent renewed his license. Respondent's current Maryland license will expire on October 31, 2006.

7. Respondent is a Medicaid provider, being reimbursed under Provider # 406800900.

II. Findings Pertaining to The Compliant

8. On or about October 15, 2004, the Insurance Fraud Division of the Maryland Insurance Administration forwarded to the Board a complaint that was received on October 6, 2004, from the Fraud Division's toll free reporting line describing suspicious circumstances associated with a health care provider.

9. Specifically, the complainant stated that she used to work for Social Worker A whose license to practice had been suspended by the Board and therefore many insurance companies had suspended Social Worker A. The complainant stated

¹ Respondent is aware of the identity of Social Worker A.

that if a patient presents to the office that is insured by a company that will not accept billing from Social Worker A, the treatment is billed under Respondent's name. The caller stated that if a patient is under Medicaid, the treatment is always billed under Respondent, regardless of who provided the treatment.

10. Thereafter, the Board initiated an investigation of the complaint.

III. Client Specific Findings

Client A

11. Social Worker A began treating Client A², beginning on or about October 14, 2002, then a thirty-three (33) year old female. Social Worker A met with Client A approximately two or three times a month from October 2002 to November 17, 2003.

12. Social Worker A periodically submitted Uniform Treatment Plan Forms to Maryland Health Partners for purposes of treatment authorization and payment by the Maryland Medical Assistance Program ("Medical Assistance"). The treatment record of Client A contains treatment plan forms submitted to Medical Assistance by Social Worker A on December 10, 2002, March 13, 2003, April 18, 2003. All of the forms were signed by Social Worker A. Medical Assistance reimbursed Social Worker A for her care of Client A.

13. Social Worker A's license to practice social work was suspended by the Board on October 10, 2003, effective November 24, 2003.

14. Social Worker A next saw Client A on February 10, 2004. Social Worker A documented, "She agreed to plan to continue to come."

² Client names are confidential and are not disclosed in the Consent Order. Respondent is aware of the identity of the clients.

15. On March 9, 2004, Respondent (not Social Worker A) signed and submitted to Medical Assistance a Treatment Plan Form for Client A. Respondent entered Diagnostic and Statistical Manual ("DSM") Codes for Patient A, made a risk assessment in regard to suicidality, made functional assessments and proposed therapeutic interventions to include individual therapy once a week and conjoint services when indicated. Respondent estimated the date of discharge to be March 20, 2005. Respondent signed the form as the "clinician."

16. Since November 24, 2003, Social Worker A documented individual psychotherapy visits with Client A on February 10, March 8, April 13 and 22, May 10, 17, and 24, June 1, July 19 and 29, August 16, and 26, September 1, 20, and 28, October 18, November 11 and 18, 2004, all during the time her license was suspended.³

17. However, Respondent, not Social Worker A, billed Medical Assistance \$75 for individual psychotherapy with Client A on February 10, April 13, 20, 22, and 29, May 10, 11, 17, 19, and 24, June 1 and 7, July 19, 26, and 29, August 11, September 1 and 29, October 18 and 26, and November 11, 2004⁴, Medicaid paid Respondent for twenty-one (21) treatment sessions with Client A at \$40 each.

18. Another social worker in the practice saw Patient A in regard to substance abuse issues on April 20, and 29, May 10, 11, and 19, 2004. Respondent alleges that the billing that was submitted on these five dates was on behalf of this other social worker in the practice who had seen Patient A on those dates.

³ Medical Assistance does not reimburse for treatment provided if the provider's license to practice is not active.

⁴ The dates of the progress notes do not correspond with the dates of service on claims.

19. Respondent's Medical Assistance provider number allows him to bill for services he personally provided and not for service provided by others.

20. Social Worker A had received a Medical Assistance provider number; however, the number was no longer valid after Social Worker A's license to practice social work was suspended.

21. Respondent acknowledged to Board investigative staff that he never treated Client A. According to Respondent's computerized appointment book from November 2003 to April 2005, Respondent did not have any appointments with Client A. According to Client A's treatment records, Respondent did not document that he provided any treatment to Client A.

Client E⁵

22. Social Worker A documented that she initially saw Client E, a forty four (44) year old male, on June 1, 2004, and thereafter on June 8, June 15, June 22, July 6, July 13 and July 20, 2004.

23. Social Worker A did not submit claims to Medical Assistance for payment for these dates of service.⁶

24. Respondent submitted claims to Medical Assistance for payment for a psychiatric evaluation of Client E on April 7, 2004, and for group psychotherapy with Client E on April 13, May 4, 25, June 1, 22, July 6, 13, 20, 27, and August 3, 2004. According to Respondent's appointment calendar, Respondent was not scheduled to meet with Client E on any of the dates listed in paragraph 23.

⁵There are no allegations in regard to Clients B, C, and D in regard to Respondent.

⁶Social Worker A's license to practice social work was suspended during these dates.

25. Respondent alleges that an addictions counselor in his group practice saw Client E on April 7, 13, May 4, 25, June 1, 8, 15, 22. Respondent acknowledges that Social Worker A met with Client E on July 6, 13, 20, July 27, and August 3, 2004.⁷

26. According to Social Worker A's appointment calendar, Social Worker A was scheduled to meet with Client E on July 6, 13, 20, and 27, August 3, 10, and 17.

27. Medical Assistance paid Respondent \$20 for group psychotherapy on ten (10) sessions. On four (4) of those dates, June 22, July 6, 13 and 20, 2004, according to Social Worker A's progress notes, Social Worker A met with Client E, not Respondent.

28. Respondent submitted claims to Medical Assistance for group therapy with Client E for sessions for which he was not the provider of services.

29. Respondent collaborated with Social Worker A to submit claims for therapy with Client E for sessions for which Social Worker A was not eligible to receive payment.

Clients G, H, and I

30. According to Social Worker A's appointment calendar, from February 2, 2004 through December 28, 2004, Social Worker A was scheduled to see Clients G, H and I on various dates.

31. Clients G, H, and I were privately insured through CareFirst BlueCross BlueShield ("CareFirst").

32. Respondent submitted claims to CareFirst for psychotherapy with Clients G (16 visits), H (36 visits⁸), and I (8 visits).

⁷ Social Worker A's license to practice social work was suspended during this period of time.

33. Respondent acknowledges that Social Worker A saw Client H on August 10, 17, 24, and 31, September 7, 14, and 21, October 5, 12, 19, and 26, 2004 for group therapy and that Respondent submitted bills for services for these dates under his name.

34. CareFirst paid Respondent for psychotherapy with Clients G, H, and I.

35. With the exception of five visits with Client G, Respondent was not scheduled to meet with Clients G, H, and I on the visits enumerated in paragraph 33.

36. Respondent submitted claims to CareFirst for psychotherapy with Clients G, H, and I for sessions for which he was not the provider of services.

37. Respondent acknowledges that Client G was seen by Social Worker A when Social Worker A was unlicensed and that he submitted claims for reimbursement under his name. Respondent alleges that he understood that she Social Worker A was licensed at the time.

38. Respondent acknowledges that Client H was seen by Social Worker A when Social Worker A was unlicensed and that he submitted claims for reimbursement under his name.

39. Respondent acknowledges that Client I was seen by Social Worker A when Social Worker A was unlicensed and that he submitted claims for reimbursement under his name.

40. Respondent collaborated with Social Worker A to submit claims for therapy with Clients G, H, and I for sessions for which Social Worker A was not eligible to receive payment.

⁸ Respondent alleges that Client H was seen for 27 visits, not 36 visits.

IV. Summary

41. Respondent's rendering DSM diagnoses, making a risk assessment in regard to suicidality, making functional assessments, and proposing therapeutic interventions for an individual that he did not personally evaluate constitutes:

- a. An act of misconduct in the practice of social work, in violation of HO § 19-311 (4);
- b. Knowingly violating any provision of the Social Work title, in violation of HO § 19-311 (5);
- c. Engaging in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work, in violation of HO § 19-311 (6);
- d. Violating any provision of this title or regulations governing the practice of social work adopted and published by the Board, in violation of HO § 19-311 (7);
- e. Knowingly making or filing a false report or record in the practice of social work, in violation of HO § 19-311 (12) and
- f. Participating or condoning dishonesty, deceit, or misrepresentation violation of Code Md. Regs. tit. 10 § 42.03.03 B (1).

42. Respondent's submission of claims to Medical Assistance and Carefirst for reimbursement for psychotherapy with Clients A, E, G, H, and I, individuals that Respondent did not treat, and collaborating with Social Worker A to obtain reimbursement for sessions for which Social Worker A was not eligible to receive payment, constitutes:

- a. An act of misconduct in the practice of social work, in violation of HO § 19-311 (4);
- b. Knowingly violating any provision of the Social Work title, in violation of HO § 19-311 (5);

- c. Engaging in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work, in violation of HO § 19-311 (6);
- d. Violating any provision of this title or regulations governing the practice of social work adopted and published by the Board, in violation of HO § 19-311 (7);
- e. Practicing social work with an unauthorized person or supervising or aiding an unauthorized person in the practice of social work, in violation of HO § 19-311 (11);
- f. Knowingly making or filing a false report or record in the practice of social work, in violation of HO § 19-311 (12);
- g. Submitting a false statement to collect a fee, in violation of HO § 19-311 (14); and
- h. Participating or condoning dishonesty, deceit, or misrepresentation violation of Code Md. Regs. tit. 10 § 42.03.03 B (1).

CONCLUSIONS OF LAW

Based on the forgoing Findings of Fact, the Board concludes that Respondent committed prohibited acts under the Act, Md. Health Occ. Code Ann. § 19-311 (4), (5), (6), (7), (11), (12), and (14), and Code Md. Regs. tit. 10 § 42.03.03 B. Accordingly, the Board concludes as a matter of law that Respondent committed acts of misconduct in the practice of social work; knowingly violated any provision of Title 19; engaged in a course of conduct that is inconsistent with generally accepted standards in the practice of social work; violated a provision of the regulations governing the practice of social work adopted and published by the Board, that is participating or condoning dishonesty, deceit or misrepresentation; practiced social work with an unauthorized person and aided an unauthorized person in the practice of social work; knowingly made or filed a false report in the practice of social work; and submitted a false statement to collect a fee.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 13th day of January, 2006, by a majority of the full authorized membership of the Board considering this case:

ORDERED that Respondent's license to practice social work shall be **SUSPENDED** for one (1) year, effective thirty (30) days from the date of this Consent Order, with all but sixty (60) days **STAYED**; and be it further

ORDERED that within seven (7) days of the commencement of suspension, Respondent shall provide his social work license, both the wall certificate and wallet card, to the Board to be maintained at the Board's office for the duration of Respondent's suspension, and be it further

ORDERED that prior to termination of suspension Respondent:

- i. Shall provide written documentation that he has enrolled in, or completed, a Board approved one-on-one tutorial in professional ethics with a Board-approved instructor, at least 12 weeks in duration with specific emphasis on ethics of proper billing; or in such other Board approved course as focuses on the issues in this case;
- ii. Shall provide written documentation that he has enrolled in, or completed, a Board pre-approved business course in billing, with a focus on health professionals, if possible;
- iii. Shall provide written documentation that he has contracted with a Board-approved supervisor for his probationary period;
- iv. Shall provide written documentation that his partnership with Social Worker A in Associated Psychotherapists of Maryland has been dissolved and that Social Worker A is no longer a shareholder in the corporation;
- v. Shall not engage in any activity or conduct that falls within the jurisdiction of, or is governed by, any Board established by the Maryland Health Occupations Article, including but not limited to,

activities which involve the provision of psychotherapy or counseling services, teaching, or any other activity which requires Respondent to have direct or indirect involvement in decisions concerning the treatment rendered to mental health patients or other recipients of counseling services, whether or not such services are compensated; and be it further

ORDERED that after sixty (60) days of active suspension, Respondent may petition the Board for termination of the active suspension; and be it further

ORDERED that the petition will be granted only if conditions have been met, reports are favorable and there are no new charges pending against Respondent; the decision to grant or deny said petition being at the Board's discretion and is not appealable;

ORDERED that when the Board terminates the active suspension, Respondent shall be on two (2) years **PROBATION** subject to the following conditions:

1. Shall successfully complete, or have completed, the Board approved individual tutorial in professional ethics, with specific emphasis on ethics of proper billing, or such other Board approved course as focuses on the issues in this case;
2. Shall submit a written paper to the Board that meets the requirements of the ethics tutor;
3. Shall successfully complete, or have completed, a Board approved course in billing, with an emphasis on billing for health professionals;
4. Respondent's billing along with the corresponding treatment and session notes shall be reviewed on a random basis, but at least one time per month by a Board approved supervisor, who is not connected with Respondent through any current or past collegial, professional or academic affiliation, who will monitor Respondent's billing practices and promote his skill in the accurate billing of psychotherapy and counseling services;
5. Respondent shall authorize the Board to provide the supervisor with the entire investigative file, including all investigative interviews and, investigative reports, and records of treatment obtained during

the investigation; the Board's Disciplinary Charges and the Consent Order;

6. Respondent shall ensure that the supervisor submits quarterly reports to the Board; the first quarterly report shall be due within three (3) months of the date of reinstatement of the license;
7. Respondent shall be responsible for all costs associated with fulfilling the terms and conditions of this Consent Order;
8. Respondent shall complete the ethics tutorial and the billing course prior to termination of probation;
9. There shall be no early termination of probation; and be it further

ORDERED that after two years probation, Respondent may petition the Board for termination of probation; and be it further

ORDERED that the petition will be granted only if conditions have been met, reports are favorable and there are no new charges pending against Respondent; the decision to grant or deny said petition being at the Board's discretion and is not appealable; and be it further

ORDERED that Respondent will comply and practice within all statutes and regulations governing the practice of social work in the State of Maryland; and be it further

ORDERED that any violation of any of the terms of this Order shall constitute unprofessional conduct; and be it further

ORDERED that if the Board has probable cause to believe that the public health, safety or welfare imperatively requires emergency action, the Board, without prior notice and an opportunity for a hearing, may summarily suspend the Respondent's license, provided that Respondent is given prompt written notice of the Board's suspension, the finding, and the reasons in support thereof, and an opportunity for a hearing within thirty

(30) days after requesting same in accordance with Md. State Govt. Code Ann. § 10-226(c) (2004 Repl. Vol.); and be it further

ORDERED that if Respondent violates any of the terms of Respondent's probation, or fails to comply with the terms of this probation, the Board, after notice and a hearing, and a determination of violation, may impose any other disciplinary sanctions it deems appropriate, said violation of probation being proved by a preponderance of evidence; and be it further

ORDERED that this Consent Order is a public document pursuant to Md. State Govt. Code Ann. § 10-611 *et seq.*

1-13-06
Date

Yvonne Perret LCSW-C
Yvonne Perret, LCSW-C, Chair
Board of Social Work Examiners

CONSENT

I, Ronald C. Gompf, LCSW-C, acknowledge that I am represented by legal counsel, Ralph Wilson, Esquire, and I have had the opportunity to consult with counsel before entering into and signing this document. I further acknowledge that, by signing this Consent Order, I admit to the Findings of Fact and Conclusions of Law, and submit to its terms and conditions in lieu of further proceedings. By signing this Consent Order, I waive my right to contest the terms and findings herein and all challenges, legal or otherwise, to the proceedings before the Board.

I admit to the enforceability of this Consent Order as if it were made entered after 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 procedural protections to which I am entitled by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also recognize that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing and I am also waiving any other legal remedies I may have regarding resolution of this matter.

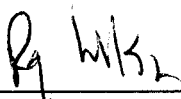
I sign this Consent Order after having an opportunity to consult with counsel, without reservation, and I fully understand and comprehend the language, meaning and terms and effect of this Consent Order.

1/22/06
Date



Ronald C. Gompf, L.Q.S.W.-C.,
Respondent

Reviewed by:



Ralph Wilson, Esquire
Counsel for Respondent

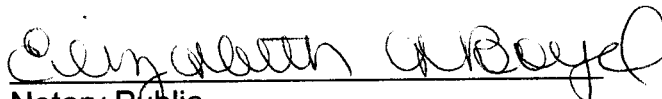
NOTARY

STATE OF MARYLAND
CITY/COUNTY of Prince Annsdel

I HEREBY CERTIFY that on this 12th day of January, 2006,
before me, a Notary Public of the State and County aforesaid, personally appeared

Ronald C. Gompf, LCSW-C, and made oath in due form of law that the foregoing was his voluntary act and deed.

AS WITNESS my hand and Notarial Seal.


Notary Public

My Commission Expires: 10/31/09