

**IN THE MATTER OF**

\*

**BEFORE THE MARYLAND**

DEC 03 2021

**DANIELLE M. GRAHAM, LMSW**

\*

**STATE BOARD OF**

Board of Social Work Examiners

**RESPONDENT**

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**SOCIAL WORK EXAMINERS**

**License Number: 22851**

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**Case Number: 2020-2861**

\* \* \* \* \*

**CONSENT ORDER**

On August 9, 2021, the Maryland State Board of Social Work Examiners (the “Board”) charged **DANIELLE M. GRAHAM, LMSW**, (the “Respondent”), License Number 22851, with violating the Maryland Social Workers Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 19-101 *et seq.* (2014 Repl. Vol. & 2020 Supp.).

Specifically, the Board charged the Respondent with violating the following provisions of the Act and COMAR 10.32 *et seq.*:

**§ 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;
- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board; [and]
- (20) Fails to maintain adequate patient records[.]

Pursuant to Health Occ. § 19-311(6), the pertinent provisions of Md. Code Regs. (“COMAR”), provide the following:

**COMAR 10.42.03.03. Responsibilities to Clients.**

A. The licensee shall:

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

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

**COMAR 10.42.03.06. Standards of Practice.**

A. Professional Competence. The licensee shall:

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

On September 14, 2021, a Case Resolution Conference was held before a committee of the Board. As a resolution of this matter, the Respondent agreed to enter into this public Consent Order consisting of the following Findings of Fact, Conclusions of Law, and Order.

**FINDINGS OF FACT**

The Board makes the following Findings of Fact:

**I. Background**

1. At all times relevant, the Respondent was licensed to practice social work in the State of Maryland. The Respondent was initially licensed to practice as a licensed

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graduate social worker in Maryland on or about May 31, 2017.<sup>1</sup> The Respondent's license is current through October 31, 2021.

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2. The Respondent was employed as a social worker at an educational facility (the "Facility") located in Prince George's County, Maryland from the 2018-2019 school year until June of 2020. At the Facility, the Respondent worked as a social worker providing Individual Education Plans ("IEP") to student clients.

3. On or about August 25, 2020, the Board received a complaint (the "Complaint") from the Education Director (the "Complainant") of the Facility alleging that the Respondent failed to document her therapy sessions with her IEP clients. The Complainant stated that the Facility requested that the Respondent complete all missing documentation of client sessions prior to leaving her employment at the Facility on or about June 19, 2020, but she failed to fully comply.

4. Based on the Complaint, the Board initiated an investigation of the Respondent's practice.

## **II. Board Investigation**

5. In furtherance of its investigation, the Board subpoenaed records from the Facility and interviewed relevant witnesses, including staff members at the Facility and the Respondent.

6. Board interviews of Facility staff members, including the Complainant, revealed that in or around May 2020, the Respondent submitted a letter to the

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<sup>1</sup> Effective July 1, 2018, the designation of LGSW was automatically changed to licensed master social worker ("LMSW").

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Complainant resigning from the Facility, effective June 12, 2020. As a routine protocol, Facility staff members conducted a review of the Respondent's caseload and discovered that the Respondent had failed to document many of her individual and group sessions with IEP clients.

7. The Complainant and Facility Staff members requested the Respondent to complete all the missing therapy session notes prior to her leaving the Facility to which the Respondent agreed.

8. By on or about June 19, 2020, the Respondent had not completed all the missing therapy session notes. Facility staff members sent numerous communications to the Respondent requesting that she complete the missing therapy session notes but received no response from the Respondent.

9. On or about December 7, 2020, Board staff conducted an under-oath interview of the Respondent. During the interview, the Respondent admitted to failing to complete the missing therapy session notes in a timely manner. The Respondent attributed her failure to personal challenges she faced around the time she resigned from the Facility.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent's failure to keep adequate documentation of her therapy session notes with her IEP clients in a timely manner constitutes: committing an act of misconduct in the practice of social work, in violation of Health Occ. § 19-311(4);

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violating regulations governing the practice of social work adopted and published by the Board, *i.e.* COMAR 10.42.03.03A(5)(b) and COMAR 10.42.03.06A(7), in violation of Health Occ. § 19-311(6); and failing to maintain adequate patient records, in violation of Health Occ. § 19-311(20).

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**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 28<sup>th</sup> day of January, 202~~1~~, by a majority of the Board considering this case:

**ORDERED** that the Respondent be and hereby is **REPRIMANDED**; and it is further

**ORDERED** that the Respondent is placed on **PROBATION** for a minimum period of **TWO (2) YEARS**. During the probationary period, the Respondent must comply with the following terms and conditions:

1. Within six (6) months of the date of this Consent Order, the Respondent shall successfully complete one Board-approved course on professional ethics and one Board-approved course on record keeping. The Respondent shall be responsible for submitting written documentation to the Board of her successful completion of these courses. The Respondent understands and agrees that she may not use this coursework to fulfill any requirements mandated for licensure renewal. The Respondent shall be solely responsible for furnishing the Board with adequate written verification that she has completed the courses according to the terms set forth herein.
2. The Respondent shall pay a fine in the amount of **One Thousand dollars (\$1,000)**, which shall be immediately **STAYED**, payable to the Maryland Board of Social Work Examiners only upon the finding by the Board of a violation of probation by the Respondent.
3. During the probationary period and upon gainful employment as a social worker, the Respondent shall meet at least once a month, for a minimum of

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two clinical hours, with a Board-approved supervisor for random chart review and discussion at the Respondent's expense. At these meetings, the supervisor shall choose random sample of at least then (10) of the Respondent's active cases to review. The supervisor shall review the charts to determine the Respondent's compliance with documentation and record keeping standards.

4. The supervisor shall submit quarterly written reports to the Board, which shall include but not be limited to the number and type of cases reviewed, issues discussed and his/her assessment of the Respondent's compliance with documentation and record keeping standards.
5. The Respondent is responsible for requesting that the supervisor submits the required quarterly reports to the Board in a timely manner.
6. The Board has sole authority to implement any changes in the supervision and retains all authority to approve any changes in the supervision.
7. In the event that the supervisor discontinues supervising the Respondent for any reason, the Respondent shall immediately notify the Board and work with the Board to find a suitable replacement.
8. To seek the Board's preapproval for the required coursework and supervisor, the Respondent may contact the Board's Director of Compliance.
9. The Respondent shall comply with the Maryland Social Workers Act and all laws, statutes and regulations pertaining thereof.

**AND IT IS FURTHER ORDERED** that after the conclusion of **TWO (2)** **YEARS** from the date of this Consent Order, the Respondent may submit a written petition to the Board requesting termination of probation. After consideration of the petition, the probation may be terminated, through an order of the Board, or a designated Board committee. The Board, or designated Board committee, may grant the termination if the Respondent has fully and satisfactorily complied with all of the probationary terms

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and conditions and there are no pending investigation or outstanding complaints of similar violations against her; and it is further

**ORDERED** that if the Board has reason to believe that the Respondent has failed to comply with any term or condition of probation or this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If there is a genuine dispute as to a material fact, the hearing shall be an evidentiary hearing before the Board. If there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before the Board; and it is further

**ORDERED** that after the appropriate hearing, if the Board determines that the Respondent has failed to comply with any term or condition of probation or this Consent Order, the Board may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend or revoke the Respondent's license to practice social work in Maryland. The Board may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon the Respondent; and it is further


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

ORDERED that this Consent Order is a PUBLIC DOCUMENT pursuant to Md. Code Ann., Gen. Provisions 4-101 et seq. (2014).

1/28/2022  
Date

  
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Karen Richards, LCSW-C, Chair  
Maryland State Board of  
Social Work Examiners

CONSENT

I, Danielle M. Graham, LMSW, acknowledge that I am represented by counsel and have consulted with counsel before entering 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.

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 agree to forego my opportunity to challenge these allegations. 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 after any such hearing.



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

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12/2/2021  
Date

Danielle M. Graham  
Board of Social Work Examiners  
Danielle M. Graham, LMSW

**NOTARY**

STATE OF MARYLAND  
CITY/COUNTY OF Baltimore City

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of December, 2021, before me, a Notary Public of the foregoing State and City/County personally appear Danielle M. Graham, LMSW, and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notary seal.



Kisha Lenora Thomas  
Notary Public

My commission expires: 7-18-24