

IN THE MATTER OF	*	BEFORE THE STATE
GALE E. GREENSTEIN, LCSW-C	*	BOARD OF SOCIAL WORK
RESPONDENT	*	EXAMINERS
LICENSE NUMBER: 21117	*	CASE NUMBER: 18-2491

* * * * *

CONSENT ORDER

On March 8, 2019 the State Board of Social Work Examiners (the "Board") charged Gale E. Greenstein, LCSW-C, (the "Respondent"), License Number: 21117, (the "Respondent"), under the Maryland Social Workers Act (the "Act"), Md. Code Ann., Health Occ. §§ 19-101 *et seq.* (2014 Repl. Vol. & 2018 Supp.). On April 29, 2019, a Case Resolution Conference was held with the Respondent, who was represented by Counsel, members of the Board, along with Board Counsel, and the Administrative Prosecutor in order to determine whether the matter could be resolved. As a result, the Respondent agreed to enter into this Consent Order consisting of the Findings of Fact and the Conclusions of Law. The pertinent provisions of the Act state:

**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;

- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board [.]

COMAR 10.42.03

.06 Standards of Practice.

A. Professional Competence. The licensee shall:

(1) Limit practice to the areas in which the licensee has gained proficiency through education, training, and experience;

B. A licensee may not:

1) Undertake or continue a professional relationship with a client when the competence or objectivity of the licensee is or could reasonably be expected to be impaired due to:

(b) The licensee's present or previous familial, social, sexual, emotional, financial, supervisory, political, administrative, legal, or other relationship with the client or a person associated with or related to the client; or

(2) Engage in other relationships that could limit the licensee's objectivity or create a conflict of interest or the appearance of a conflict of interest.

FINDINGS OF FACT

1. At all times relevant hereto, the Respondent was licensed to practice clinical social work in the State of Maryland. The Respondent was originally licensed to practice clinical social work in Maryland on or about July 20, 2015. The Respondent's license expires on October 31, 2019.

2. At all times relevant hereto, the Respondent was employed as a social worker at a facility ("Facility A")¹. Facility A provides outpatient mental health services to

¹ The names of the Complainant, Facility A, and Client A referred to in this document have been omitted to protect confidentiality.

adolescents and their families in Maryland. The Respondent worked as an independent contractor.

3. The Respondent began working worked at Facility A on September 21, 2015. The Respondent's employment contract with Facility A was terminated on June 30, 2018.

4. On or about April 17, 2018, the Board received a complaint from the owner (the "Complainant") of Facility A regarding the Respondent's conduct.

5. The Complainant indicated in his complaint that a physician for a Facility A client ("Client A") reported that the Respondent had purchased CBD oil for Client A's parent to give to Client A.²

6. Further investigation by the Board staff revealed the following:

7. On March 16, 2018, the Respondent purchased CBD oil for Client A's parent to give to Client A.³ The CBD oil was to relieve Client A's anxiety.

8. After the Respondent purchased CBD oil, Client A's mother gave the Respondent a check in the amount of eight-eight dollars (\$88). The check was reimbursement for the CBD oil and other products that the Respondent had purchased for Client A.

9. The Respondent purchased the CBD oil and other products for Client A's mother at a Maryland medical dispensary.

10. On or about June 27, 2018, the Respondent was interviewed under oath by an investigator for the Board. The Respondent admitted that she purchased the CBD oil

² CBD is a type of cannabinoid.

³ Client A is a minor child.

and other items at a Maryland medical dispensary for Client A's mother to give to Client A.

11. The Respondent also admitted under oath that she received a check in amount of eighty-eight dollars (\$88) from Client A's mother for the CBD oil and other items that she purchased from a Maryland medical dispensary.

12. Respondent's conduct as set forth above is a violation of Health. Occ. § 19-311 (4), (5), (6), and COMAR 10.42.03.06 A (1) and B (1) (b) and (2).

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Health. Occ. § 19-311 (4), (5), (6), and COMAR 10.42.03.06 A (1) and B (1) (b) and (2).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 10 day of May 2019, a majority of the appointed members of the Board hereby:

ORDERED that the Respondent's license shall be **SUSPENDED** for **thirty (30) days**; and it is further

ORDERED that the said suspension shall be immediately **STAYED**; and it is further

ORDERED the Respondent's license shall be placed on **PROBATION** for **two (2) years**; and it is further

ORDERED that the Respondent shall pay a fine in the amount of one thousand dollars (\$1000). The fine shall be paid within ninety days of the date of this Order; and it is further

ORDERED that the Respondent shall take a one-on-one ethics tutorial that is preapproved by the Board. Any credits earned by the one-on-on tutorial shall not be used by the Respondent to satisfy continuing education requirements for renewal; and it is further

ORDERED that the Respondent shall practice social work in accordance with the Maryland Social Workers Act and all applicable laws and regulations; and it is further

ORDERED that at the conclusion of the probationary period, the Respondent may file a written petition to the Board for termination of the probationary status and the removal of any conditions or restrictions that resulted from this disciplinary action, provided that the Respondent has fulfilled all the terms and conditions set forth herein, is not in violation of this Order, and there are no outstanding complaints against the Respondent; and it is further

ORDERED that failure to comply with the terms and conditions of the Consent Order, constitutes a violation of the Consent Order and the Board, in its discretion, after notice and an opportunity for a show cause hearing before the Board, may impose any appropriate sanction under the Act; and it is further

ORDERED that the Respondent shall bear all costs associated with this Order; and it is further,

ORDERED that the effective date of this Order is the date that it is signed by the Board; and it is further

ORDERED that for purposes of public disclosure, the Consent Order is considered a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014) and is reportable to any entity to whom the Board is obligated to report.

Sherryl A. Silberman LCSW-C

5/10/2019
Date

Sherryl Silberman, LCSW-C,
Board Chair
Maryland Board of Social Work Examiners

CONSENT OF GALE E. GREENSTEIN, LCSW-C

I, **GALE E. GREENSTEIN, LCSW-C**, acknowledge that I am represented , Emily K Lashley and Rose Matricciani, Esquire, and have consulted with my attorneys 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 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 after 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.

5-8-2019

Date

Gale E. Greenstein, LCSW-C
Gale E. Greenstein, LCSW-C

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF MONTGOMERY

I hereby certify that on this 8th day of MAY, 2019, before me, a Notary Public for the State of Maryland and the City/County aforesaid, personally appeared Gale E. Greenstein, LCSW-C, License Number: 21117 and made oath in due form of law that the foregoing Consent Order was her voluntary act and the statements made herein are true and correct

AS WITNESS my hand and Notarial Seal.

John Halder
Notary Public
Montgomery County
Maryland
My Commission Expires 09/20/2022

J Halder
Notary Public 05/08/19

My Commission Expires: _____