

**IN THE MATTER OF**  
**CAROLYN HITE, LCSW-C**  
**Respondent**

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

**LICENSE NUMBER 01715**

**\* Case Number: 2018-2521**

\* \* \* \* \*

**FINAL ORDER**

A. On December 13, 2019, the hearing commenced at approximately 1:30 pm. A quorum of the Board was present. Assistant Attorney General Roberta Gill, Administrative Prosecutor, was present to represent the State. The Respondent was present and represented herself at the proceeding.

**Exhibits and Witnesses**

**State's Exhibits:**

- 1A. Computer Printout of Licensing Info
- 1B. License Verification Information
- 2A. Board Letter to Respondent, dated 1/4/17
- 2B. Board Letter to the Respondent, dated 2/7/17
- 2C. Letter from Respondent to Board, dated 2/18/17
- 2D. Board Letter to Respondent, dated 2/28/17
- 3A. Letter from Board to Respondent, dated 1/15/19
- 3B. Pre-Charge Consent Order
- 4. Investigative Report, dated 7/26/18
- 5A. Letter of Procedure, August 12, 2019
- 5B. Charges, 8/9/19
- 5C. Note from Board re: CRC Postponement, 10/27/19
- 5D. CRC Notice, 10/1/19
- 5E. Hearing Notice, dated 11/15/19
- 6A. Wage Statement Request, 11/14/19
- 6B. Respondent's Wage Statement
- 6C. Subpoena Duces Tecum, 11/18/19

6D. Respondent's Personnel File

7. Note from Board re: Hearing, dated 11/20/19

**State's Witnesses:**

Garcia Gilmore

**Respondent's Exhibits:**

None

**Respondent's Witnesses:**

Carolyn Hite

- B. A full evidentiary hearing was held. Roberta Gill, Assistant Attorney General, presented the State's case. State's Exhibits 1-7 were admitted into evidence. The testimony of two witnesses was entered into the record.

**Findings of Fact**

- C. The Maryland Board of Social Work Examiners ("the Board") first issued a license to the Respondent, Carolyn Hite, to practice as a licensed certified social worker-clinical ("LCSW-C") in the State of Maryland, on September 13, 1977.
- D. The regulations governing the continuing education requirements of social work practice found in the Code of Maryland Regulations ("COMAR") 10.42.06. requires licensed social workers to obtain 40 credit hours of continuing education units ("CEUs") every two years in programs and categories approved by the Board, as a condition of continued licensure. The CEUs may all be in Category I, but may not consist of more than 20 CEUs in Category II. Of the required 40 credit hours of CEUs, a minimum of three CEUs must focus on ethics and professional conduct, including boundary issues.

- E. Section .06 of the regulation requires the Board to audit a percentage of social workers each renewal period. The regulation also requires all licensees to sign a statement on the renewal application attesting to having completed this requirement.
- F. The Respondent was chosen to be included in the Board's Post Renewal Continuing Education Audit ("Audit") for the renewal period from November 1, 2014 to October 31, 2016.
- G. After the 2016 renewal period closed, the Board set a flag on the Respondent's license indicating that the \$300.00 check she wrote to the Board as remittance for her renewal fee bounced.
- H. On or about January 4, 2017, the Respondent was mailed a letter from the Association of Social Work Boards ("ASWB") on behalf of the Board stating that she was randomly chosen as part of the Audit. The letter requested that the Respondent supply documentation of all CEUs obtained towards the 40-credit hour requirement within thirty days of the letter.
- I. The Respondent failed to respond to the January 4, 2017 letter. Thus, a second letter was issued to her on or about February 7, 2017.
- J. The Board did not receive a response from the Respondent.
- K. Then, on or about February 18, 2017, the Respondent sent a handwritten letter to ASWB requesting "consideration in postponing my audit due to death in the family" and promising to provide documentation of the missing CEUs "as soon as I am able".

- L. A third letter was sent to the Respondent on or about February 28, 2017, entitled, "Post Renewal Audit-Problem Notice ("Notice"). The Notice acknowledged that the Respondent's explanation was received and informed the Respondent that her file would be forwarded to the Board.
- M. On or about June 27, 2018, Board staff left a voicemail message for the Respondent. The Respondent failed to return the call to the Board.
- N. The Board referred the matter for investigation and possible disciplinary action.
- O. On or about January 15, 2019, the Board sent the Respondent a letter with an attached order. The letter advised the Respondent that her file was presented to the Board on August 10, 2018, and that the Board voted to offer her a Pre-Charge Consent Order to resolve the matter without the need for formal disciplinary action.
- P. The letter requested a response from the Respondent within 30 days of her receipt of the letter.
- Q. The Respondent did not contact the Board.
- R. The Respondent admitted that she did not send in documentation the outstanding CEUs and she did not present any documentation of completion of the outstanding CEUs at the hearing.
- S. The Respondent's license is currently active and will expire on October 31, 2020.
- T. The Respondent's license was not renewed.
- U. On or about August 12, 2019, the Board issued charges under the Maryland Social Workers Act (the "Act"). Md. Code Ann., Health Occupations II ("HO") §§ 19-101 *et seq.* (2014 Repl. Vol. & 2017 Supp.). The charges comprise pertinent

provisions of the Act under § 19-311 and Code Md. Reg. ("COMAR") tit. 10 § 42.06, which in part states:

**§ 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:

- (1) Obtained or attempted to obtain a license for the applicant or licensee or for another through fraud, deceit, or misrepresentation;
- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board[;],

and

**§ 19-308. Term and renewal of licenses; change of address.**

(d) *Applications for renewal.* – Before the license expires, the licensee periodically may renew it for an additional 2-year term, if the licensee:

- (3) Submits to the Board:
  - (ii) Satisfactory evidence of compliance with any continuing education requirement set under this section for license renewal.

V. The Board further charged the Respondent with violating the following provision of COMAR 10.42.06:

**03. Continuing Education Requirements**

A. The Board shall renew a license for an additional 2-year period if the social worker:

- (1) Completes 40 (30 for Licensed Bachelor Social Workers) continuing education units within the renewal period, of which a minimum of:
  - (a) 20 (15 for Licensed Bachelor Social Workers) continuing education units shall be obtained from approved programs which are Category I;
  - (b) 3 of the required Category I or Category II continuing education units shall have

a content area focusing on ethics and professional conduct, including boundary issues, or pertaining to the standards of practice and laws governing the profession of social work in Maryland; and

(c) For registered and Board-approved supervisors, 3 of the required Category I or Category II continuing education units shall have a content area focusing on supervision as stipulated in COMAR 10.42.8.04A(2)(c);

(2) Submits an application as set forth in COMAR 10.42.01 attesting to completion of the required continuing education units in approved programs; and

(3) Completes the required continuing education units within a 2-year period as set forth in §B of this regulation.

B. Time Frame.

(1) Renewed licenses are valid for a 2-year period from November 1 through and including October 31<sup>st</sup>, during which time continuing education units must be earned.

(2) Continuing education units obtained in one renewal period may not be carried over to the next renewal period.

W. A notice of hearing was mailed to the Respondent by regular and certified mail return receipt on or about November 15, 2019. The notice indicated that an evidentiary hearing was scheduled on Friday, December 13, 2019 at 1:30 pm.

X. At the hearing, the Respondent still had not submitted any documentation that she completed the 40 CEUs.

Y. The Respondent's conduct as set forth above is a violation of H.O. § 19-311 (1) and (6), § 19-308 (d)(3), and COMAR 10.42.06.03.

Z. Pursuant to section 19-311 of the Act, the Board may reprimand any licensee, place any licensee on probation, or suspend or revoke the license of a licensee if

the Board finds, by a preponderance of the evidence, that the licensee committed any of the enumerated acts.

- AA. The Board considered whether the Respondent committed the following violations of the Act: obtaining or attempting to obtain a license for the licensee through fraud, deceit, or misrepresentation; and failing to provide satisfactory evidence of compliance with the CEU requirements as set forth in COMAR 10.42.06. See H.O. § 19-311, §19-308.

### **Conclusions of Law**

- BB. Based on the foregoing Findings of Fact, the Board concludes that a preponderance of the evidence presented to the Board shows that the Respondent violated Md. Code Ann., Health Occ. H.O. § 19-311 (1) and (6), and 19-308 (d)(3) as well as COMAR 10.42.06.

### **ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

**ORDERED** that the Respondent's license to practice as a licensed certified social worker, clinical in the State of Maryland, license number 01715, is hereby **SUSPENDED until approval of the following by the Board:**

- a. Documentation of completion of a six (6) hour ethics tutorial;
- b. Documentation of completion of CEU certificates for the past three (3) renewal cycles (2014-2016, 2016-2018, and 2018-2020);
- c. Payment of a \$300.00 fine made payable to the Board by either cashier's check or money order; and
- d. The Respondent shall be solely responsible for ensuring that she provides the Board with adequate written verification that she has fully and successfully complied with the above terms and conditions; and it is

**ORDERED** that after the Respondent has successfully complied with the above terms and conditions, the Respondent may file a written petition with the Board for

termination of the suspension of her license;

**ORDERED** that if the Board is satisfied, it shall grant the petition; and it is

**ORDERED** that in the event that the Board terminates the suspension of the Respondent's license, the Respondent shall be placed on **PROBATION** for a minimum period of **TWO (2) YEARS**, which shall commence on the date the Board terminates the suspension of the Respondent's license and shall continue until verification that the Respondent has successfully completed two pre-renewal audit cycles; and it is

**ORDERED** that after the conclusion of the entire **TWO (2) YEAR** period of probation, the Respondent may submit a written petition to the Board requesting termination of probation. After consideration of the petition, the Board may, in its discretion, terminate the probation through an order of the Board. The Respondent may be required to appear before the Board or a committee of the Board to discuss her petition for termination; and it is further

**ORDERED** that if during the period of suspension or probation, the Board has reason to believe that the Respondent is not in compliance with the terms and conditions set forth in this order or is in violation with the laws and regulations governing the practice of social work, the Board may determine after notice and an opportunity for an evidentiary hearing or a show cause hearing whether the Respondent has failed to comply with any terms or condition of probation or this Consent Order; and it is further

**ORDERED** that the Board may impose disciplinary sanctions, including civil monetary fines subject to the pertinent provisions of H.O. § 17-101 *et seq.*, and COMAR 10.42.; and it is

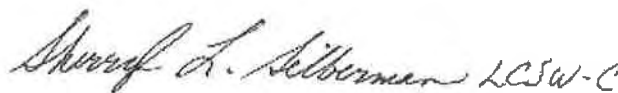
**ORDERED** that the Respondent shall not serve or continue to serve as: a Board authorized sponsor, presenter and/or trainer of social work continuing education learning activities, an ethics tutor, an evaluator for the Board, or a Board-approved supervisor for a period of five (5) years from the effective date of this Consent Order; and it is

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

**ORDERED** that this Order is a **PUBLIC DOCUMENT** under Md. Code Ann., State Gov't § 10-617(h) (2009 Repl. Vol.).

12/13/2019

Date



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



### **NOTICE OF APPEAL RIGHTS**

Any person aggrieved by a final decision of the Board under Md. Code Ann., Health Occ. §§ 19-311 may take a direct judicial appeal within thirty (30) days as provided by Md. Code Ann., Health Occ. § 19-313, Md. Code Ann., State Gov't § 10-222, and Title 7, Chapter 200 of the Maryland Rules, including Md. Rule 7-203 ("Time for Filing Action").