

Received

OCT 19 2023

IN THE MATTER OF	*	BEFORE THE MARYLAND
	Board of Social Work Examiners	
TIA JOHNSON, LMSW	*	BOARD OF
RESPONDENT	*	SOCIAL WORK EXAMINERS
License Number: 24910	*	Case Number: 2020-2892
* * * * *		

CONSENT ORDER

On June 16, 2023, the Maryland Board of Social Work Examiners (the “Board”) charged TIA JOHNSON, LMSW (the “Respondent”), License Number 24910, with violating the Maryland Social Workers Practice Act (the “Act”) codified at Md. Code Ann., Health Occ. §§ 19-101 *et seq.* (2021 Repl. Vol. & 2022 Supp.).

The pertinent provisions of the Act provide the following:¹

§ 19-311 – Grounds for license denials, discipline

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;

¹ All statutory and regulatory references herein are to the applicable statutes and regulations in effect at the time of the Respondent’s conduct.

- (12) Fails to file or record any report as required by law, willfully impedes or obstructs the filing or recording of the report, or induces another to fail to file the report;
- (14) Fails to report suspected child abuse or neglect in violation of § 5-704 of the Family Law Article;
- (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 and accurate records of professional service, supervision, and research work[.]

Pursuant to Health Occ. § 19-311(14), the pertinent provision of Md. Code Ann., Family Law § 5-704, provides the following:

Section 5-704. Reporting of abuse or neglect -- By health practitioner, police officer, educator, or human service worker

- (a) In general. -- Notwithstanding any other provision of law, including any law on privileged communications, each health practitioner, police officer, educator, or human service worker, acting in a professional capacity in this State:
 - (1) who has reason to believe that a child has been subjected to abuse or neglect, shall notify the

local department or the appropriate law enforcement agency; and

- (2) if acting as a staff member of a hospital, public health agency, child care institution, juvenile detention center, school, or similar institution, shall immediately notify and give all information required by this section to the head of the institution or the designee of the head.

(b) Oral and written reports; cooperation among departments and agencies. --

- (1) An individual who notifies the appropriate authorities under subsection (a) of this section shall make:

- (i) an oral report, by telephone or direct communication, as soon as possible to the local department or appropriate law enforcement agency; and

- (ii) a written report:

1. to the local department not later than 48 hours after the contact, examination, attention, or treatment that caused the individual to believe that the child had been subjected to abuse or neglect; and
2. with a copy to the local State's Attorney.

On August 7, 2023, the parties appeared at a Case Resolution Conference ("CRC") before a committee of the Board. The Respondent, represented by counsel, and the Administrative Prosecutor assigned to the case participated in the CRC. As a result of the

negotiations at the CRC the parties agreed to the following Consent Order consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

The Board finds that:

1. At all times relevant hereto, the Respondent was licensed to practice masters-level social work (“LMSW”) in the State of Maryland. The Respondent was initially licensed to practice as an LMSW in Maryland on May 31, 2019, under license number 24910. The Respondent’s LMSW license is currently active and scheduled to expire on October 31, 2023.
2. At all relevant times the Respondent was employed as a Pediatric Social Worker for a hospital (the “Hospital”)² and resigned on November 9, 2020.
3. On October 9, 2020, the Board received a complaint (the “Complaint”) from a Child Protective Services (“CPS”) investigator (the “Complainant”), who also holds an LMSW, alleging that the Respondent failed to report sexual abuse of a minor client (the “Client”) by two of her biological mother’s adult male friends to authorities after the Client reported the abuse during her inpatient stay at the Hospital from August 11, 2020, to August 18, 2020.
4. Based on the Complaint, the Board initiated an investigation of the Respondent’s practice.

² For purposes of ensuring confidentiality, proper names have been omitted and replaced with generic placeholders. Upon written request, the Administrative Prosecutor will provide the information to the Respondent.

5. In furtherance of its investigation, the Board subpoenaed the Client's medical records from the Hospital regarding her inpatient stay. In addition, the Board conducted interviews, including but not limited to, the Respondent's supervisor and the Respondent.
6. According to the treatment records received from the Hospital, the Respondent was the team social worker who provided mental health treatment to the Client during her inpatient stay from August 11, 2020, until August 18, 2020. The treatment team also included a physician (the "Physician") and another provider who provided psychiatric treatment to the Client at the Hospital.
7. A review of the medical records authored by the Physician at the Hospital revealed the following:
 - a. On August 11, 2020, at 1510 the Physician documented in an "H&P Note" that the Client was "[n]ever *consensually* sexually active." [emphasis added] In the "Trauma Screen Suggested Prompt" section of the "H&P Note," the Physician documented that the adoptive parent reported that the Client had been "sexually assaulted by multiple men. Also when she was a kid, they put another little boy in the room when he was 5 for them to 'do stuff'. Sexual assault started occurring between ages 3-5, after her father died."
 - b. On August 12, 2020, at 7:42 a.m. the Physician documented in the "H&P Notes" under "Additional History" "She has a significant trauma

hx – witnessing her bio father hang himself, sexually abused by bio mother’s boyfriend, physical & mental abuse by biological parents.” And then in the “H&P Notes” under “Formulation and Plan” the Physician documented that the Client had “a history of prior sexual (. . . left with young boy by [biological] parents to have sex with and did not) . . . and *recently* unwanted sexual experience who presents with worsening symptoms of depression and suicidal ideation.”³ [emphasis added]

8. A medical record review revealed that the Respondent documented an Evaluation on August 12, 2020, at 9:11 a.m. The Respondent, a mandatory reporter,⁴ failed to document any information regarding the alleged abuse in this note.
9. In an interview with the Board’s investigator on April 15, 2021, the minor Client’s adoptive mother stated that she informed the Respondent about the minor Client’s past sexual abuse in a family meeting and asked the Respondent to file a CPS report.

³ The Physician documented the following statement in multiple notes throughout the medical record: Client had “a history of prior sexual (. . . left with young boy by parents to have sex with and did not) . . . and *recently* unwanted sexual experience who presents with worsening symptoms of depression and suicidal ideation.” [emphasis added] Additional dates that the Physician documented this statement include August 13, 2020 at 10:32 a.m. and August 14, 2020 at 10:11 a.m.

⁴ From the Maryland Department of Human Services: You are a mandated reporter if you are one of the following: Health Practitioner . . . Reporting does NOT require PROOF that child abuse or neglect has occurred. Incidents are to be reported as soon as they are suspected . . . Professional judgment and knowledge should be used to evaluate any suspicion.
Please note that effective October 1, 2016, if a local department has reason to believe that a mandated reporter knowingly failed to make a report of suspected abuse or neglect of a child, the local department must file a complaint with the appropriate licensing board or employer of the mandated reporter. Anyone making a “good faith” report is immune from civil liability and criminal penalty.

10. A review of the medical records revealed the Respondent authored a Progress Note on August 14, 2020, at 3:12 p.m., where the Respondent documented that a “Family meeting was held with writer, resident, pt’s mom and pt” and discussed treatment and medication updates, depression improvement prior to discharge plan, and subsequent enrollment in an outpatient program. The Respondent failed to document the alleged abuse in the note she authored for the family meeting that occurred on August 14, 2020.
11. A review of the Client’s medical records further revealed the Respondent did not make *any* documentation at any time regarding the alleged abuse of the minor Client and never documented that the Respondent reported allegations of abuse to child protective services or to the head of the Hospital.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated:

§ 19-311 – Grounds for license denials, discipline

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- (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;
- (12) Fails to file or record any report as required by law, willfully impedes or obstructs the filing or recording of the report, or induces another to fail to file the report;
- (14) Fails to report suspected child abuse or neglect in violation of § 5-704 of the Family Law Article;
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- (1) who has reason to believe that a child has been subjected to abuse or neglect, shall notify the local department or the appropriate law enforcement agency; and
 - (2) if acting as a staff member of a hospital, public health agency, child care institution, juvenile detention center, school, or similar institution, shall immediately notify and give all information required by this section to the head of the institution or the designee of the head.
- (b) Oral and written reports; cooperation among departments and agencies. --
- (1) An individual who notifies the appropriate authorities under subsection (a) of this section shall make:
 - (i) an oral report, by telephone or direct communication, as soon as possible to the local department or appropriate law enforcement agency; and
 - (ii) a written report:
 1. to the local department not later than 48 hours after the contact, examination, attention, or treatment that caused the individual to believe that the child had been subjected to abuse or neglect; and
 2. with a copy to the local State's Attorney.

ORDER

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this **30th** day of **October**, **2023**, by a majority of the quorum of the Board considering this case hereby:

ORDERED that the Respondent's license is **REPRIMANDED**; and it is further

ORDERED that the Respondent's license to practice social work shall be placed on **PROBATION** for a **minimum of TWO (2) YEARS**, and continuing until the Respondent has successfully completed the following probationary conditions:

1. During the probationary period, the Respondent shall be supervised by a Board-approved supervisor ("Probation Supervisor"), to whom the Board may release any portion of the investigative file as is deemed necessary;
2. The Respondent shall ensure that the Probation Supervisor provides the Board with written quarterly reports on the Respondent's progress during the supervisory period;
3. The Board has sole authority to implement any changes in the supervision and retains all authority to approve any changes in the supervision;
4. In the event that the supervisor discontinues supervising the Respondent for any reason, the Respondent shall immediately notify the Board and submit a replacement candidate to serve as his supervisor under the terms specified above;
5. Within one (1) year of the date of the effective date of the Consent Order, the Respondent shall enroll in and complete a **course on documentation/record keeping**, approved in advance by the Board;
6. Within one (1) year of the date of the effective date of the Consent Order, the Respondent shall enroll in and complete a **course in mandatory reporting**, approved in advance by the Board;
7. Within one (1) year of the date of the effective date of the Consent Order, the Respondent shall provide the Board with written documentation of

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documentation of her successful completion of the courses required by this Consent Order; and

8. The Respondent shall comply with the Maryland Social Workers Act and all laws, statutes and regulations pertaining thereof; and it is further

ORDERED that no part of the training or education that the Respondent receives in order to comply with the Consent Order may be applied to his continuing education credits required for certification or licensure; 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 before the Board otherwise, may impose any sanction that the Board may have imposed in this case, including a reprimand, probationary terms and conditions, suspension, revocation and/or a monetary penalty; and it is further

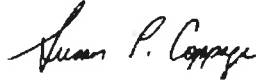
ORDERED that the Respondent shall be responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

ORDERED that the Respondent shall not serve or continue to serve as: a Maryland Board Authorized Sponsor, presenter and/or trainer of social work continuing education learning activities, an Ethics Tutor, an evaluator for the Maryland Board, or a Maryland Board Approved Supervisor for a period of 5 years from the effective date of this Consent Order; and it is further

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and is reportable to any entity whom the Board is obligated to report pursuant to Md. Code Ann.,
Gen. Prov. §§ 4-101 *et seq.* (2021) and Health Occ. § 1-607.

10/30/2023



Date

Susan Coppage, LCSW-C,
Board Chair
Maryland Board of Social Work Examiners

CONSENT

I, Tia Johnson, LMSW, License No. 24910, by affixing my signature hereto,
acknowledge that:

1. I am represented by counsel, and I have consulted with counsel in this matter. I have knowingly and voluntarily agreed to enter 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.
2. I am aware that I am entitled to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 19-312 (2021 Repl. Vol.) and Md. Code Ann., State Gov't §§ 10-201 *et seq.* (2021 Repl. Vol.).
3. I acknowledge the validity and enforceability of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have 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 as provided by law. I am waiving those procedural and substantive protections.
4. I voluntarily enter into and agree to abide by the terms and conditions set forth herein as a resolution of the Charges against me. I waive any right to contest the Findings of Fact and Conclusions of Law, and I waive my right to a full evidentiary hearing, as set forth above, and any right to appeal this Consent Order or any adverse ruling of the Board that might have followed any such hearing.

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5. I acknowledge that by failing to abide by the conditions set forth in this Consent Order, I may be subject to disciplinary actions, which may include revocation of my license to practice as a social worker.
6. I sign this Consent Order voluntarily, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

10/11/23

Date




Tia Johnson, LMSW

NOTARY

STATE OF Maryland
COUNTY OF Baltimore

I HEREBY CERTIFY that on this 11 day of OCTOBER, 2023, before me, a Notary Public of the State and County aforesaid, personally appeared Tia Johnson, LMSW, License Number: 24910, and gave oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS, my hand and Notary Seal.



Notary Public

My Commission Expires: 12/28/2023

Calvin Earl Jones III
Notary Public
Baltimore County, MD
My Commission Expires
December 28, 2023