

- A. In this chapter, the following terms have the meanings indicated.
- B. Terms Defined.

...

- (3) “Dual relationship” means a relationship in which a licensee is involved with a client professionally and in any other capacity.

COMAR 10.42.03.05 Relationships.

- A. The licensee may not enter into a dual relationship with a client or an individual with whom the client has a close personal relationship.

...

- E. The licensee may not terminate professional services or a professional relationship with a client in order to enter into a nonprofessional [and/or] social ... relationship with the client or an individual with whom the client has a personal relationship.

On or about April 29, 2019, following a Case Resolution Conference, held at the Board’s offices, the Respondent agreed to enter into this Consent Order to resolve the charges.

FINDINGS OF FACT

The Board finds the following facts.

Background

1. At all times relevant, the Respondent was and is licensed to practice graduate social work in the State of Maryland. The Respondent was initially licensed to practice as an LGSW in the State of Maryland on or about August 5, 2014, under license number 20211.

2. Subsequently, on or about April 26, 2018, the Respondent was licensed as an LCSW-C. The Respondent’s LCSW-C license is current through October 31, 2020.

3. At all times relevant, the Respondent provided social work services at a various locations of a Federally Qualified Health Center in Maryland (the "Center").

Complaint

4. On or about September 26, 2016, the Board received a complaint (the "Complaint") from the Director of Human Resources at the Center (the "Complainant"). The Complaint alleged that the Respondent had engaged in an inappropriate dual relationship with a client.

5. The Complaint stated that on or about August 11, 2016, an altercation had occurred at one of the locations of the Center. The altercation involved the Respondent, a client of the Center (the "Client"), and another woman, the Client's partner (the "Woman"). Following the altercation, the Center suspended the Respondent and conducted an investigation into whether the Respondent was carrying on an inappropriate relationship with the Client. The investigation revealed that the Respondent had conducted intake for the Client, and referred him to another provider, but had subsequently communicated with him by email and text message.

6. The Complaint also stated that the Respondent appeared to have communicated with former clients after having been counseled against this practice.

7. Following the investigation, the Respondent resigned from the Center.

8. Based on the Complaint, the Board began an investigation.

Investigation

9. On or about July 24, 2017, in furtherance of its investigation, the Board obtained the Respondent's personnel file from the Center.

10. According to the Respondent's personnel file, the Respondent was hired on or about July 15, 2014. On or about May 11, 2016, the Respondent conducted an initial intake session with the Client. The Respondent conducted a second intake session with the Client on May 18, 2016.

11. Following these sessions, on or about June 6, 2016, the Respondent met with her supervisor, and disclosed that she was unable to impartially treat the Client due to her personal feelings for him. For this reason, the Client was referred to a third-party provider.

12. On or about July 20, 2016, the Respondent received a "friend request" on Facebook from the Woman. The Respondent was not acquainted with the Woman, but noticed that the Woman appeared to be Facebook "friends" with the Client. The Respondent sent a text message to the Client asking who the Woman was. The Client initially answered that he rented a room from the Woman.

13. In the following weeks, the Respondent continued to communicate electronically with the Client. Simultaneously, the Woman was periodically sending hostile messages to the Respondent, apparently angered that the Respondent was communicating with the Client. It later became clear that the Client and the Woman were in a romantic relationship.

14. In addition, during the summer of 2016, the Respondent socialized with the Client in person, including meeting him at a snowball stand.

15. On or about August 3, 2016, the Respondent informed her supervisor that she had been engaging in personal communications with the Client and socializing with him. The Respondent stated that she had recently ended the relationship.

16. However, approximately three days later, on or about August 6, 2016, again communicated with the Client via email.

17. Approximately one week later, the altercation mentioned in the Complaint occurred in the waiting room of the Center's Highlandtown location. According to the records of the Center obtained by the Board, the Woman was outraged and screaming that the Respondent was sleeping with the Client, her romantic partner.

18. In the subsequent investigation conducted by the Center, the Respondent admitted in writing to maintaining a dual relationship with him.

19. In addition, the investigation revealed that in 2015, after she attempted to communicate with a former client, the Respondent was counseled on the need to refrain from communicating with clients after their discharge.

20. On or about August 26, 2016, based *inter alia* on the Respondent's inappropriate dual relationship with the Client, the Respondent's resigned from the Center.

21. On or about March 13, 2018, the Board's investigator conducted an in-person interview with the Respondent under oath. During the interview, the Respondent acknowledged the social relationship with the Client and stated that she accepted responsibility for her inappropriate behavior.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds as a matter of law that the Respondent's conduct, as described above generally, constitutes violations of the Act and the regulations adopted by the Board as cited above. Specifically:

The Respondent's actions, in entering into an inappropriate dual relationship with the Client, as described above, constitutes: engaging in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work, in violation of Health Occ. § 19-311(5); and violations the provision of the Act and the Board's regulations cited above, in violation of Health Occ. § 19-311(6).

The Respondent entered into dual relationships with the Client, as described above, in violation of COMAR 10.42.03.05A.

The Respondent terminated professional services or a professional relationship with the Client in order to enter into a nonprofessional and/or social relationship with the Client, in violation of COMAR 10.42.03.05E.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby by a majority of the Board members considering this case

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

ORDERED that the Respondent's license to practice social work in the State of Maryland is **SUSPENDED** for a period of **THIRTY (30) DAYS**, all **STAYED**; and it is further

ORDERED that the Respondent is placed on Board-supervised **PROBATION** for a period of at least **TWO (2) YEARS** and until the following terms and conditions are fully and satisfactorily complied with:

1. The Respondent's status as a licensed clinical social worker will be listed in the Board's computer records and website as being on "Probation";

2. Within thirty (30) days of the effective date of the Consent Order, the Respondent shall engage the services of a supervisor whom she has chosen from a list of Board-approved supervisors that the Board shall provide to her. The focus of the supervision shall include, but is not limited to, professional boundaries and ethics. The Respondent shall make her records available for inspection by the supervisor, and the Respondent shall meet with the supervisor, in person, once per month for at least 60 minutes. The requirement that meetings be in person is waived when the Respondent is outside the United States because of professional social work responsibilities; in which case, the Respondent shall immediately notify the Board in advance and shall attend the monthly meeting via videoconference, i.e. simultaneous audio and visual communication technology.
3. During the probationary period the supervisor or the Respondent may make a written request to the Board to reduce or modify the terms of the supervision, as the supervisor deems appropriate. Whether to grant such a request is solely within the Board's discretion.
4. The supervisor shall supply the Board with quarterly, written reports on the Respondent's practice, within ten (10) days of the most recent monthly in-person meeting. The Respondent shall provide the supervisor with a copy of this Consent Order prior to their initial meeting, and the Board may release to the supervisor any portion of the investigative file as is deemed necessary by the Board and/or the supervisor, provided that a copy of the investigative file is also released to the Respondent.
5. A negative report from the supervisor may result in a violation this Consent Order and further sanctions at the discretion, after notice and opportunity for hearing;
6. The Respondent shall abide by any and all recommendations made by the supervisor. Failure to cooperate and failure to abide by the supervisor's recommendations shall be deemed a violation of Order;
7. Respondent shall practice social work according to the Maryland Social Work Act and in accordance with all applicable laws, statutes and regulations pertaining to the practice of social work.

And it is further


ORDERED that after 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 consider granting the termination if the Respondent has fully and satisfactorily complied with all of the probationary terms and conditions and there are no pending complaints related to the charges; and it is further

ORDERED that if the Respondent violates any of the terms and conditions Probation and this Consent Order, the Board, in its discretion, after notice and an opportunity for a show cause hearing before the Board, may impose any sanction which the Board may have imposed in this case, including a probationary term and conditions of probation, reprimand, suspension, lifting the stay of suspension, revocation and/or a monetary penalty, said allegations of violation of the terms and condition of this Consent Order shall be proven by a preponderance of the evidence; and it is further

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

ORDERED that this Consent Order is a PUBLIC DOCUMENT, pursuant to Md. State Gov't Code Ann. §§ 10-611 *et seq.* (2014 Repl. Vol.), and is reportable to any entity to which the Board is obligated to report.

7/12/2019
Date



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

CONSENT

I, Heather Kathrens, LCSW-C, acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and 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 as provided 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 affirm that I waive my right to appeal any adverse ruling of the Board that might have followed any such hearing.

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

7-5-19
Date

Heather Kathrens LCSW-C
Heather Kathrens, LCSW-C
The Respondent

NOTARY

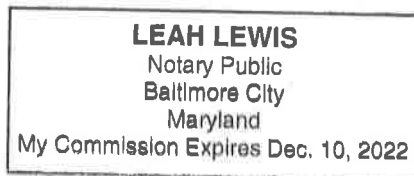
STATE OF Maryland

CITY/COUNTY OF:

I HEREBY CERTIFY that on this 5 day of July 2019,
before me, a Notary Public of the State and County aforesaid, personally appeared Heather
Kathrens, LCSW-C, and gave oath in due form of law that the foregoing Consent Order was
her voluntary act and deed.

AS WITNESS, my hand and Notary Seal.

Leah Lewis



Notary Public

My commission expires: