



**IN THE MATTER OF
LIAT KATZ, LCSW-C**

*** BEFORE THE MARYLAND
* STATE BOARD OF
* SOCIAL WORK EXAMINERS
* Case Number: 2021-3082**

Respondent

License Number: 16397

* * * * *

CONSENT ORDER

The Maryland State Board of Social Work Examiners (the “Board”) hereby charges **LIAT KATZ, LCSW-C** (“the Respondent”), License Number 16397, with violating the Maryland Social Workers Practice Act (the “Act”) codified at Md. Code Ann., Health Occ. §§ 19-101 *et seq.* (2021 Repl. Vol.).

The pertinent provisions of the Act provide the following:

Health Occ. § 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;

...

- (11) Makes or files a false report or record in the practice of social work;

...

- (20) Fails to maintain adequate patient records; and
- (21) Fails to comply with the maintenance, disclosure, and destruction of medical records as required under Title 4, Subtitles 3 and 4 of the Health-General Article.

The pertinent provisions of Md. Code Ann., Health-Gen. §§ 4-301 *et seq.* (2019 Repl. Vol. & 2021 Supp.) provide the following:

Health-Gen. § 4-302. Confidentiality of medical records; disclosure

- (a) A health care provider shall:
 - (1) Keep the medical record of a patient or recipient confidential[.]

The pertinent provisions of Md. Code Regs. (“COMAR”), provide the following:

COMAR 10.42.02.04. Case Management.

- B. A licensee shall:

...

- (4) Assure appropriate confidentiality of client information

COMAR 10.42.03.03. Responsibilities to Clients.

- A. A licensee shall:

...

- (4) Prepare and disseminate to an identified colleague or record custodian a written plan for the transfer of clients and files in the event of a licensee’s incapacitation, death, or termination of service; and
- (5) Maintain documentation in the client’s record which:

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

B. A licensee may not:

- (1) Participate or condone dishonesty, fraud, deceit, or misrepresentation;

...

- (6) Engage or participate in an action that violates or diminishes the civil or legal rights of a client[.]

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[.]

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:

- (a) Mental, emotional, physiological, pharmacological, substance abuse, or personal problems[.]

On November 21, 2022, the parties appeared at a Case Resolution Conference (“CRC”) before a committee of the Board. The Respondent 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 the following:

1. The Respondent was originally issued a license to practice graduate social work in Maryland on April 18, 2005 under license number G11663. On September 14, 2010, the Respondent became licensed as a licensed certified social worker-clinical (“LCSW-C”) under license number 16397. The Respondent’s license is scheduled to expire on October 31, 2024.

2. The Respondent was employed with a healthcare facility (“the Agency”)¹ in various capacities since September 13, 2004. She was employed as a social worker with the Agency beginning on or around June 20, 2011 until her resignation² on or about November 5, 2021.

3. The Agency reassigned the Respondent’s cases after her resignation. The Agency then discovered that one of the Respondent’s former clients (“Client A”) was deceased as of September 12, 2021. The Agency further learned that the Respondent had entered notes into the electronic case management system indicating that that the Respondent had spoken with Client A after September 12, 2021.

¹ For confidentiality reasons, the name of the Respondent’s employer will not be disclosed in this document.

² The Respondent voluntarily transferred to another unit within the Agency. She subsequently retired from the Agency effective February 1, 2022.

The Complaint

4. On or about December 1, 2021, the Board received a complaint from the Respondent's former supervisor (the "Complainant") alleging that the Respondent left behind two trash bags filled with personally identifiable information of approximately fifty-seven (57) clients in violation of the Agency's Health Insurance Portability and Accountability Act ("HIPAA") policy. The Complainant discovered the bags on November 11, 2021, when she went to the cubicle space where the Respondent previously worked. The bags were unsecured and located next to a trash can. Additionally, the Complaint noted that the Respondent falsified records and provided false reports regarding contacts made with Client A in September and October 2021.

5. Based on the Complaint, the Board began an investigation of the Respondent.

Board Investigation

6. On January 25, 2022, the Board sent a letter to the Respondent informing her of the complaint and requesting her response. A copy of the complaint was included with the letter.

7. As part of its investigation, the Board issued subpoenas and obtained the following: the Respondent's employee personnel file; notes pertaining to the services provided to Client A; treatment records for Client A; death certificate for Client A;³ and treatment records for the Respondent. The Board also conducted interviews with the Complainant, the Complainant's supervisor (the "Supervisor"), and the Respondent.

³ The Board received a death verification memorandum regarding Client A from the Maryland Department of Health Vital Statistics Administration on March 4, 2022.

8. On or about February 10, 2022, the Board received, *inter alia*, notes pertaining to the services provided to Client A. The Respondent entered approximately fifteen (15) contact notes into the Agency's electronic case management system from April 16, 2019 to November 3, 2021. Included in the notes were the following:

- a. Note entered by the Complainant on July 22, 2021 stating that she met with Respondent for monthly supervision and that Client A's case was not in compliance with COMAR paperwork requirements. The Respondent agreed to bring the case into compliance and the case would be reviewed again during the next monthly supervision meeting.
- b. Note entered by the Respondent on July 26, 2021, with a contact date of June 17, 2021, stating that services for Client A had been suspended as of June 14, 2021.
- c. Email dated July 28, 2021, to the Complainant which stated that the Respondent had been notified that services would not be reinstated for Client A.
- d. Note entered by the Respondent on November 3, 2021, with a contact date of August 16, 2021, stating that Client A was still receiving services and was satisfied with the services.
- e. Note entered by the Respondent on November 3, 2021, with a contact date of September 21, 2021, stating that the Respondent spoke with Client A and that Client A is still

satisfied with the services.

- f. Note entered by the Respondent on November 3, 2021, with a contact date of October 22, 2021, stating that the Respondent spoke with Client A who said that her condition is getting worse and that she is thankful for the services.
- g. Note entered by the Complainant on November 8, 2021, stating that the case documentation was reviewed and is out of compliance as to timeliness. "Worker has resigned from the unit. Case to be reassigned."

9. On or about February 16, 2022, the Board conducted an interview with the Complainant who provided the following information:

- a. The Respondent was a case manager in the Complainant's unit at the Agency.
- b. The Complainant was the Respondent's immediate supervisor in the unit.
- c. On November 11, 2021, the Complainant discovered two large trash bags containing protected information for fifty-seven (57) clients, including Client A. The Complainant photographed and secured the documents.
- d. The Complainant notified her Supervisor about the documents in the trash bags.
- e. After the Respondent's resignation from the unit, another

- employee discovered that Client A was deceased as of September 12, 2021.
- f. During a monthly supervision meeting on September 14, 2021, the Respondent told the Complainant that Client A was home and receiving services from the Agency.
 - g. During a monthly supervision meeting on October 21, 2021, the Respondent told the Complainant that Client A was stable, at home, and receiving services from the Agency.
 - h. The Respondent entered two contact notes in the electronic case management system on November 3, 2021, indicating that the Respondent had spoken with Client A on September 21, 2021 and October 22, 2021.
 - i. The Complainant met with the Respondent sometime between November 11, 2021 and February 16, 2022. During the meeting, the Respondent stated that she was overwhelmed and was panicking while trying to get notes in at the last minute. The Respondent also stated that she took full responsibility for what she had done.

10. The Board received a copy of the Respondent's personnel file which included the Respondent's performance evaluations from July 1, 2016 through June 30, 2019. Each of the evaluations during that time period noted that the Respondent had issues with meeting state and local mandates regarding her paperwork.

11. On February 18, 2022, the Board conducted an interview with the Complainant's Supervisor who provided the following information:

- a. On November 11, 2021, the Complainant advised the Supervisor that she had discovered two trash bags containing multiple clients' documents in the cubicle area formerly occupied by the Respondent.
- b. The Respondent had also noted contacts with Client A on September 21 and October 22 in the electronic case management system although Client A was deceased as of September 12, 2021.
- c. The Supervisor and the Complainant met with the Respondent during the first week of December regarding the incident.

12. On March 3, 2022, the Board conducted an interview with the Respondent who provided the following information:

- a. The Respondent was employed by the Agency as a social worker from 2011 through 2022.
- b. The Respondent was not employed at the time of the interview.
- c. The Respondent stated that she placed documents from her cubicle that were no longer needed inside two trash bags.

- d. The Respondent admitted that she did not put accurate information in Client A's notes dated September 21, 2021 and October 22, 2021.
- e. The Respondent stated that she was overwhelmed when leaving her position and she ended up doing things that were improper.
- f. The Respondent stated that she began having medical problems while taking care of Client A. The Respondent thought that she had seen Client A during the times she specified in her notes but she, in fact, had not.
- g. The Respondent stated that she believed there was a HIPAA violation and that there were other ways of disposing of the information that were more appropriate.

13. On March 23, 25, and 31, 2022, the Board received treatment records for the Respondent which indicated that the Respondent had begun experiencing personal and medical issues in mid-2021. The records confirmed the information that the Respondent had disclosed to the Board about her medical history.⁴

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated Health Occ. § 19-311(4) (commits any act of gross

⁴ For confidentiality reasons, the details of the Respondent's medical history will not be disclosed in this document.

negligence, incompetence, or misconduct in the practice of social work); § 19-311(5) (engages in course of conduct that is inconsistent with generally accepted standards of professional conduct in the practice of social work); § 19-311(6) (violates any provision of this title or regulations governing the practice of social work adopted and published by the Board); § 19-311(11) (makes or files a false report or record in the practice of social work); § 19-311(20) (fails to maintain adequate patient records); and § 19-311(21) (fails to comply with the maintenance, disclosure, and destruction of medical records) in that the Respondent violated Health-Gen. § 4-302 and COMAR 10.42.02.04(B)(4), COMAR 10.42.03.03(A)(4), (5)(b), (B)(1), (B)(6), COMAR 10.42.03.06(A)(7) and (B)(1)(a).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 16th day of February, 2023, by a majority of the quorum of the Board considering this case hereby:

ORDERED that the Respondent's license to practice social work shall be **SUSPENDED** for a minimum of **THREE (3) MONTHS** as of the effective date of the Consent Order;

ORDERED that following the period of suspension, 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, to whom the Board may release any portion of the investigative file as is deemed necessary.

- a. The Respondent shall meet with the supervisor on a monthly basis and provide the supervisor with full access to the Respondent's case files and documentation.
 - b. The Respondent shall ensure that the supervisor submits written quarterly reports to the Board regarding the Respondent's progress during the supervisory period.
2. Within one (1) year of the effective date of the Consent Order, the Respondent shall enroll in and complete in person or via live-webinar a one three-credit CEU **course on ethics**, approved in advance by the Board.
 3. Within one (1) year of the effective date of the Consent Order, the Respondent shall enroll in and complete in person or via live-webinar a one three-credit CEU **course on documentation/recordkeeping**, approved in advance by the Board.
 4. The Respondent is encouraged to continue with her current mental health treatment and shall sign releases that will allow the Board to receive documentation of compliance and attendance with the mental health provider upon the Board's request.

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

ORDERED that the Respondent shall obey all laws and regulations that govern the practice of social work in the State of Maryland;

ORDERED that the Respondent shall bear all costs of complying with this Order;

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 her continuing education credits required for certification;

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;

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 additional probationary terms and conditions, a reprimand, suspension, revocation and/or a monetary penalty;

ORDERED that within fourteen (14) days of the effective date of this Consent Order, the Respondent shall furnish her employer(s) and supervisor with copies of this Consent Order and shall submit written proof of the employer(s) and supervisor's receipt of the Consent Order.

ORDERED that, for purposes of public disclosure and, as permitted by Md. General Provisions §§ 4-101 *et. seq.* (2021 Repl. Vol.), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law, and Order, and is reportable to any entity to whom the Board is obligated to report, and will be displayed on the Board's website.



2/16/2023

Date

Sondra Petty, LCSW-C, Board Chair
Maryland Board of Social Work Examiners

CONSENT

I, Liat Katz, LCSW-C, License No. 16397, by affixing my signature hereto, acknowledge that:

1. I am not represented by an attorney and have knowingly and voluntarily waived my right to any attorney prior to signing this Consent Order.
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. 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 conclusions 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 precautions as provided by law. I am waiving those procedural and substantive processes.
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.
5. I acknowledge that any failure to abide by the conditions set forth in this Consent Order, I may be subject to further disciplinary actions, including up to 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.

2/14/23
Date



Liat Katz LCSW-C
Liat Katz, LCSW-C

NOTARY

STATE OF MD
COUNTY OF MONTGOMERY

I HEREBY CERTIFY that on this 14th day of February, 2023, before me,
a Notary Public of the State and County aforesaid, personally appeared **LIAT KATZ**,
LCSW-C, License No. 16397, 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





Notary Public

My commission expires: _____
MUHAMMAD SHAHZEB MALIK
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires September 7, 2026