

IN THE MATTER OF	*	BEFORE THE
HAIFA J. KRAKAUR, LCSW	*	MARYLAND BOARD
Respondent	*	OF SOCIAL WORK EXAMINERS
LICENSE NUMBER: 06082	*	CASE NUMBER: 2014-1981

* * * * *

CONSENT ORDER

On January 29, 2016, the Maryland Board of Social Work Examiners ("the Board") charged **HAIFA J. KRAKAUR, LCSW (the "Respondent")**, License Number **06082** with violating the Maryland Social Work Examiners Act ("the Act") codified at Md. Health Occ. Code Ann. ("H.O.") §§ 19-101 *et seq.* (2014 Repl. Vol.) and Code Md. Regs. ("COMAR"), tit. 10, § 42.03.01 *et seq.*

Based upon the allegations made in the Complaint and the Board's investigation, the Board charged the Respondent under the following provisions of the Act:

H.O. § 19-311. Denials Reprimands, suspensions, and revocations--Grounds.

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

H.O. § 19-401. Practicing without a license.

- (a) *Social work.* -- Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice social work in

this State while representing oneself to be a social worker unless licensed by the Board.

(b) *Clinical social work.* -- Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice clinical social work in this State unless licensed by the Board as a certified social worker-clinical.

H.O. § 19-402. Misrepresentation.

Unless authorized to practice social work under this title, a person may not:

- (1) Represent to the public that the person is a licensed social worker;
- (2) Use any title, abbreviation, sign, card, or other representation that the person is a licensed social worker, including the use of the words "social worker" or "social work" and the use of the abbreviations "LBSW", "LGSW", "LCSW" or "LCSW-C".

The pertinent provisions of Code Md. Reg. ("COMAR") provide the following:

10.42.03.06 Standards of Practice. A. Professional Competence. The licensee shall: (8) Represent accurately and objectively the licensee's professional qualifications[.]

On March 15, 2016, a Case Resolution Conference was convened in this matter. The Respondent agreed to enter into this Consent Order consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

The Board finds the following:

1. The Respondent was initially licensed as a licensed certified social worker ("LCSW") on April 19, 1989. In November 1994, the Respondent's LCSW license was grandfathered to licensed certified social worker - clinical ("LCSW-C"). The Respondent's LCSW-C license expired on October 31, 1999.

2. At all times relevant, the Respondent was employed as a social worker with Montgomery County Department of Health and Human Services ("MCDHHS").

Licensure

3. On or about January 28, 2013, the Board received the Respondent's Application for Re-Licensure ("2013 Application"). The Respondent indicated that she held a Maryland LCSW-C license and was "not sure" when it expired.

4. On January 31, 2013, a member of the Board's staff sent the Respondent a letter stating that the Board did not have the Respondent's 1989 on file and therefore needed additional information to process her 2013 Application. The letter requested that the Respondent submit documentation of her clinical social work experience.

5. In email correspondence with a member of the Board's staff ("Staff A") dated February 12, 2013, the Respondent stated that she "need[s] a license number for [her] job in order for [her] to participate in some work related activities." Staff A confirmed the necessity of the required documentation and offered to help obtain contact information for the Respondent's previous social work supervisors.

6. On February 14, 2013, the Respondent emailed Staff A stating that she located a copy of her "old license" that was issued in 1989.¹ The Respondent

¹ The Respondent was referring to the LCSW license. There is no record of the Respondent having held an LGSW license.

did not provide the Board with the requested documentation of her clinical social work experience.

7. On February 17, 2013, Staff A emailed the Respondent and advised that the Respondent's 2013 Application was still pending.

8. On April 1, 2013, the Respondent emailed Staff A to inquire about when her application fee check would be cashed. Staff A responded that the Respondent's check was deposited on January 28, 2013.

9. The Respondent next contacted Staff A via email on January 13, 2014 requesting a copy of her license.

10. On January 18, 2014, Staff A responded to the Respondent's email stating that her 2013 Application was "still pending approval and the LCSW-C license has not been issued." Staff A further stated that "Until you are licensed again, you cannot use LCSW-C after your name as you have indicated in your email signature."²

11. Staff A also informed the Respondent that effective October 1, 2013, the Act was revised, changing the application process for re-licensure. Staff A notified the Respondent that the Board no longer required documentation of her clinical social work experience. However, under the revised Act, the Respondent must take and pass the clinical examination and complete a criminal history records check. Staff A provided the Respondent with a new application.

² All of the Respondent's emails to the Board dating back to February 2013 include the designation "LCSW-C" after the Respondent's name in her email signature. On or about July 6, 2014, based on the Respondent's use of "LCSW-C" in her email signature, Staff A generated a complaint to the Board.

12. On January 22, 2014, the Respondent emailed Staff A asking if she could obtain her LCSW (without clinical designation) without taking the clinical examination.³ Staff A responded on January 23, 2014 that her 2013 Application would likely be denied because she lacked the documentation that was required at the time. Staff A also stated that the Respondent will be required to take the clinical examination.

13. On March 5, 2014, the Respondent emailed Staff A asking again if the Board had decided on her license renewal. Staff A responded via email and attached a letter notifying the Respondent that her 2013 Application was disapproved because "social work experience and supervision hours obtained in Maryland were obtained without being licensed as a Licensed Graduate Social Worker."

14. Staff A further notified the Respondent that she was eligible for re-licensure under the revised statutory requirements that became effective on October 1, 2013.

15. The Respondent continued to practice as a social worker, using the LCSW-C designation after her name, from October 31, 1999 until January 2015, when her employer discovered that her license had expired in 1999.

16. On January 6, 2015, the Respondent's supervisor at MCDHSS was notified by the MCDHHS Fiscal Team Revenue Unit that the Respondent's license had expired in 1999. In response, the Respondent's supervisor stated, "[The Respondent] is getting me a copy of her license and I will forward asap.

³ The Respondent removed the designation "LCSW-C" from her email signature. However, documentation provided by MCDHHS indicates that the Respondent continued to use the designation "LCSW-C" in her email signature in November 2014.

She states it has been active and that it was renewed per usual for the current cycle of 11/2014-10/2016."

17. A subsequent email from the Respondent's supervisor, dated January 12, 2015, stated that the Respondent's license is expired and that the Respondent believed her license had been renewed because the Board cashed her check.⁴

18. The Respondent provided a written explanation to her employer as to why her licensed had lapsed. In her written explanation, the Respondent stated that her licensed expired on October 31, 1999, which was the same date that her father passed away. The Respondent further stated that she asked her husband to "take care of this for me, which apparently didn't happen." Furthermore, the Respondent stated that she could not recall receiving renewal notifications prior to or after her license lapsed.

19. On January 27, 2015, the Respondent submitted an Application for Re-Licensure ("2015 Application") as a LCSW-C. The Respondent later requested that her application be changed to "LCSW".

20. On February 9, 2015, the Respondent's 2015 Application was approved and she was notified that she could take the Advanced Generalist Association of Social Work Boards Examination ("the examination")

21. The Respondent passed the examination on February 24, 2015.

22. The Board granted the Respondent's LCSW license on March 6, 2015.

⁴ The Respondent had already received correspondence from the Board notifying her that her 2013 application was disapproved. The application fee is not refunded to applicants whose applications are disapproved.

Employment as a Social Worker

23. In furtherance of the Board's investigation, the Board's investigator issued a subpoena to MCDHHS for the Respondent's personnel file.

24. A review of the Respondent's personnel file revealed the following:

a. The Respondent was hired by the Montgomery County Department of Social Services ("MCDSS") as a Social Worker I on September 22, 1986. The Respondent was assigned to the Montgomery County Psychiatric Institute.

b. From 1986 to 1989, the Respondent worked as a Foster Care/Institutional Social Worker III for the MCDSS.

c. On or about July 1, 1990, the Respondent was given a service increment to Social Worker III with the Child Welfare Service in Rockville, Maryland.

d. On or about October 13, 1992, the Respondent submitted an Employee Promotional Application for the position of Social Worker IV to the Department of Social Services, Child Welfare Services. The Respondent attached her resume, which stated that she was a Licensed Clinical Social Worker, #06082.

e. On or about January 26, 1993, the Respondent was promoted to Social Worker IV. The job description for that position included supervising caseworkers and directing social work programs. The job description for the Social Worker IV position requires a social work license from the Board.

25. In furtherance of the Board's investigation, the Board's investigator interviewed the Respondent on September 23, 2015.

26. During the interview, the Respondent stated that she used the designation LCSW-C after her name since it was bestowed upon her in 1989. She further stated that she continued to use the LCSW-C designation after her name even after her license expired in 1999 until at least November 2014.⁵ The Respondent stated that she "didn't pay attention" and that the use of LCSW-C after her name was "an oversight".

27. The Respondent also stated that her business cards reflected that she had an LCSW-C license even after her licensed had lapsed.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concluded that, if proven true, the factual allegations would support a finding as a matter of law that the Respondent violated H.O. §§ 19-311(4), (5), and (6) and H.O. §§ 19-401(a) and (b) and H.O. §§ 19-402(1) and (2) and COMAR 10.42.03.06.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 8TH day of APRIL, 2016, by a majority of a quorum of the Board considering this case:

ORDERED that the Respondent's license to practice social work in the State of Maryland is **REPRIMANDED**; and it is further

⁵ Information provided by the Respondent's employer indicates that the Respondent continued to use the "LCSW-C" designation in her email signature after Staff A informed her that she could not do so.

ORDERED that the Respondent shall be placed on Board-supervised probation for a period of at least **ONE (1) YEAR**. The Respondent's probation shall be subject to the following terms and conditions:

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

2. Within one (1) year, the Respondent shall pay a monetary fine in the amount of **\$2,500**; and it is further

ORDERED that prior to the October 2017 license renewal, the Respondent's CEUs will undergo a pre-renewal CEU audit by the Board and CEU requirements shall be met prior to renewal of her license application; and it is further

ORDERED that no earlier than **ONE (1) YEAR** from the commencement of the probationary period, the Respondent may submit a written petition to the Board requesting termination of probation. The Board shall, in its discretion, grant the termination if the Respondent has fully and satisfactorily complied with all of the probationary terms and conditions, including full payment of the monetary fine, 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 of 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, revocation and/or a monetary penalty; and it is further

ORDERED that the Respondent shall practice according to the Maryland Social Work Examiners Act and in accordance with all applicable laws, statutes and regulations; and it is further

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

ORDERED that this Consent Order shall be a PUBLIC DOCUMENT pursuant to Md. Code Ann. General Provisions §§ 4-101 *et seq.* (2014 Repl. Vol.).



Mark Lannon, LCSW-C, Board Chair
State Board of Social Work Examiners

CONSENT

I, Haifa J. Krakaur, acknowledge that I consulted 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 am waiving 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.

4/5/2016
Date

Haifa J. Krakaur
Haifa J. Krakaur, LCSW
Respondent

Read and approved:

Scott Krause
R. Scott Krause, Esq., Attorney for Respondent

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Montgomery :

I HEREBY CERTIFY that on this 5 day of April, 2016, before me, a Notary Public of the foregoing State personally appeared Haifa J. Krakaur and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed, and the statements made herein are true and correct.

AS WITNESSETH my hand and notarial seal.

Li Ling Mei
Notary Public

My Commission Expires: 06-03-2019

