

IN THE MATTER OF * **BEFORE THE STATE BOARD**
ANNE MARTIN, LCSW-C * **OF SOCIAL WORK**
License No. 22171 * **EXAMINERS**
Respondent * **Case No. 2018-2450**

* * * * *

FINAL CONSENT ORDER

Based on information received and a subsequent investigation by the State Board of Social Work Examiners (the "Board"), and subject to Md. Code. Ann., Health Occ §§ 19-101 *et seq.* (2014 Repl. Vol. & 2019 Supp. (the "Act")), the Board charged ANNE MARTIN, LCSW-C (the "Respondent"), with violations of the Act. Specifically, the Board charged the Respondent with violation of the following:

Specifically, the Board charges the Respondent with violation of the following provisions of § 19-311:

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 ...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 regulation governing the practice of Social Work and published by the Board[;].

Pursuant to Md. Code Ann., Human Services, (2014 Repl. Vol. and 2019 Supp.) §1-202.

- (a) Except as otherwise provided in Title 5, Subtitles 7 and 12 of the Family Law Article, § 1-203 of this subtitle, and this section, a person may not disclose a report or record concerning child abuse or neglect.

COMAR 10.42.03

.03 Responsibilities to Clients.

A. The licensee shall:

- (g) Ensures that no confidential information is disseminated, and identities are protected when using technology to communicate or access client information.

The Respondent was given notice of the issues underlying the Board's charges by a letter dated December 9, 2019. Accordingly, a Case Resolution Conference was held on January 29, 2020, and was attended by Board Members, the Board's Executive Director and Board Counsel. Also, in attendance were the Respondent and her attorney, and the Administrative Prosecutor.

Following the Case Resolution Conference, the parties and the Board agreed to resolve the matter by way of settlement. The parties and the Board agreed to the following:

FINDINGS OF FACT

BACKGROUND

1. At all times relevant to the charges herein, the Respondent was licensed to practice Licensed Graduate Social Work (LGSW)' in the State of Maryland. The

Respondent was initially licensed on August 16, 2016 and her license expired on October 31, 2018.

2. At all times relevant herein, the Respondent worked as a full-time social worker in the Child Protective Division of a county social services department in the Central Maryland area.

COMPLAINT

3. On February 6, 2018, the Board received a complaint from a social worker ("Complainant") regarding pictures/videos posted on the Respondent's 'Snapchat'² "stories". The Complainant believed that the pictures were of the Respondent's clients and of a home from which a child had been removed by the social services department where the Respondent was employed.

BOARD INVESTIGATION

4. As a result of this complaint, the Board began an investigation, which resulted in the following additional information:

5. The Board's Investigator interviewed the Complainant who stated that the Respondent appeared to have posted several pictures from her job as a social worker on Snapchat. The Complainant stated that the pictures included a series of photographs of what appeared to be a Department of Social Services ("DSS") computer that contained

¹ As of June 14, 2019, the Respondent became licensed as a clinical social worker and this license now expires on October 31, 2020.

² Snapchat is an app for mobile phones. One of the core concepts of the app is that any picture or video or message sent is made available to the receiver for only a short time before it becomes inaccessible. One of the features that makes Snapchat so appealing is to be able to send a picture to multiple people easily.

photographs of a home. The Complainant described the pictures as of “homes that children were from—the difficulties of her job. The home was in disarray...unhygienic...dirt or mold and I assumed it was a place where they had either removed the child or done an investigation.” The Complainant became concerned because it appeared that the photographs were involved in a DSS case and they may be used as legal evidence in the case. The Complainant shared her concern with her supervisor, and they agreed that a complaint should be filed with the Board.³

6. The Investigator determined that the Snapchat video of the house posted by the Respondent came from the Respondent’s colleague’s computer screen. The Respondent’s colleague shared the photographs at work to demonstrate the poor condition of the house from which the co-worker had removed children. The co-worker did not authorize the pictures or videos to be posted on social media and did not expect the Respondent to post confidential, investigative, business records and files of the Social Service Department .

7. In her interview with the Board’s Investigator, the Respondent admitted that she posted the pictures of the house to Snapchat and captioned them “Welcome to CPS” (Child Protective Services.)

8. As set forth above, by publishing unauthorized, confidential material from a social services investigation on personal social media, the Respondent violated §§ 19-

³COMAR 10.42.03 .04 Responsibilities to Colleagues. A. The licensee shall inform the Board of:
(1) Unethical conduct by a licensed social worker.

311 (4) (Commits any act of ...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 regulation governing the practice of social work and published by the Board); and, COMAR 10.42.03.03 (Responsibilities to Clients) (A). The licensee shall: (g) (Ensure(s) that no confidential information is disseminated, and identities are protected when using technology to communicate or access client information); and, Md. Code Ann., Human Services, §1-202. ((a) Except as otherwise provided in Title 5, Subtitles 7 and 12 of the Family Law Article, § 1-203 of this subtitle, and this section, a person may not disclose a report or record concerning child abuse or neglect).

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board finds that Respondent violated Health Occ. §§ §§ 19-311 (4),(5), (6) and COMAR 10.42.03.03 (A.) (g.); and, , Md. Code Ann., Human Services, §1-202. ((a).

ORDER

Based on the foregoing Findings of Fact, Conclusions of Law and agreement of the parties, it is this 14th day of FEBRUARY 2020, by a majority of a quorum of the Board,

ORDERED that the Respondent's LCSW-C license be placed on PROBATION for One Year, subject to the following conditions:

1. The Respondent shall be supervised for the next two years by a Board-approved-Supervisor in the areas of confidentiality, ethics and the use of technology in the practice of social work;
2. This Supervisor shall be selected from a list provided by the Board;
3. The supervisory sessions shall take place at least once a month for at least an hour;
4. The Supervisor shall send a report to the Board every six months regarding the Respondent's status, compliance and progress;
5. All costs shall be borne by the Respondent.

ORDERED that the Consent Order is effective as of the date of its signing by the Board; and be it

ORDERED that, should the Board receive a report that the Respondent's practice is a threat to the public health, welfare and safety, the Board may take immediate action against the Respondent, including suspension or revocation, providing notice and an opportunity to be heard are provided to the Respondent in a reasonable time thereafter. Should the Board receive information that the Respondent has violated the Act or if the Respondent violates any conditions of this Order, after providing the Respondent with notice and an opportunity for a hearing, the Board may take further disciplinary action against the Respondent, including suspension or revocation. The burden of proof for any


action brought against the Respondent as a result of a breach of the conditions of Probation or of the Order shall be on the Respondent to demonstrate compliance with the Order or conditions; and be it

ORDERED that the Respondent shall practice in accordance with the laws and regulations governing the practice of social work in Maryland; and be it further

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 further

ORDERED that, for purposes of public disclosure, as permitted by Md. Code Ann., Gen'l Prov. §§ 4-101 *et seq.* (Vol. 2014 and 2019 Supp.), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law and Order and that the Board may also disclose same to any national reporting data bank that it is mandated to report to.

2/14/2020



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

CONSENT OF ANNE MARTIN, LCSW-C, RESPONDENT

I, ANNE MARTIN, LCSW-C, Respondent, by affixing my signature hereto, acknowledge that:

1. I am represented by an attorney, Richard Bloch, and have been advised by him of the legal implication of signing this Consent Order;

2. I am aware that without my consent, my license to practice as a LCSW-C _____ in this State cannot be limited except pursuant to the provisions of § 19-312 of the Act and the Administrative Procedure Act (APA), Md. Code Ann, State Govt. §§10-201, *et seq.*, (2014 Repl. Vol and 2019 Supp.).

3. I am aware that I am entitled to a formal evidentiary hearing before the Board.

By this Consent Order, I hereby consent and admit to the foregoing Findings of Fact, Conclusions of Law and Order, provided the Board adopts the foregoing Consent Order in its entirety. By doing so, I waive my right to a formal hearing as set forth in § 19-312 of the Act and §§10-201, *et seq.*, of the APA, and any right to appeal as set forth in § 19- 313 of the Act and §§10-201, *et seq.*, of the APA. I acknowledge that, my failure to abide by the conditions set forth in this Order and following proper procedures, I may suffer disciplinary action, possibly including revocation, against my license to practice as a LCSW-C in the State of Maryland.

2/13/2020
Date


Anne Martin, LCSW-C

STATE OF MARYLAND

CITY/COUNTY OF Baltimore :

I HEREBY CERTIFY that on this 13th day of February, 2020,
before

me. Darlene A. Sabuski, a Notary Public of the foregoing State and (City/County),
(Print Name)
personally appeared ANNE MARTIN, LCSW-C, 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.


Notary Public

My Commission Expires: 8/13/2020