

IN THE MATTER OF	*	BEFORE THE STATE BOARD
SHANNON MCHALE, LGSW	*	OF SOCIAL WORK
License No. G06641	*	EXAMINERS
Respondent	*	Case No. 2018-2504

* * * * *

FINAL ORDER OF REVOCATION OF SOCIAL WORK LICENSE

On September 11, 2020, the State Board of Social Work Examiners (the “Board”), notified **SHANNON MCHALE, LGSW, License No. G06641**, the Respondent, of its Intent to Revoke her graduate social work license.

The Notice also informed the Respondent that, unless she requested a hearing in writing within 30 days of receipt of said Notice, the Board would sign the Final Order, which was enclosed. More than 30 days have elapsed, and the Respondent failed to timely request a hearing. Therefore, this revocation is final.

The basis for the Board’s action was pursuant to the Maryland Social Workers Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 19-101 *et seq.* (2014 Repl. Vol. and 2019 Supp.) and Md. Code Regs. (“COMAR”) 10.42.03 *et seq.*

The relevant provisions are as follows:

Health Occ. § 19-311. Denials, reprimands, suspensions, and revocations--Grounds.

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 regulations governing the practice of social work adopted and published by the Board;
- (7) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;
- (8) Provides professional services while:
 - (i) Under the influence of alcohol; or
 - (ii) Using any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article, or other drug that is in excess of prescribed amounts or without valid medical indication[;].

The Board further charges the Respondent with a violation of its Code of Ethics, COMAR 10.42.03:

.01 Scope and Purpose.

- A. This chapter governs the professional conduct of social workers licensed by the Board regardless of whether the service delivery is in person, telephonically, or electronically.
- B. The objective of this chapter is the protection of the public. The best interest of the public shall be the primary guide in determining the appropriate professional conduct of all individuals whose activities are regulated by the Board.

This chapter applies to all individuals licensed by the Board of Social Work

Examiners including:

- C. Graduate social workers [; and].

.02 Definitions.

(4) “Impairment” means a licensee whose diminished capacity affects the licensee’s practice of social work because of:

(a) Substance abuse [;].

This Notice supersedes the Charges under the Social Workers Act, under Case No. 2018-001, dated May 6, 2019.

**FACTS THAT WARRANT
THE REVOCATION OF THE RESPONDENT'S LICENSE**

BACKGROUND

1. At all times relevant to the charges herein, the Respondent was licensed to practice Licensed Graduate Social Work (LGSW)¹ in the State of Maryland. The Respondent was originally licensed on July 30, 1995 and her license expired on October 31, 2019.

2. At all times relevant herein, the Respondent worked as a full-time psychotherapist at an acute adult inpatient psychiatric unit at a Central Maryland-area Hospital, hereinafter, the “Hospital.”² The Respondent carried a caseload of seven to nine patients and her responsibilities included initial psychosocial assessments, chemical dependency assessments, and individual/group and family therapy.

¹ §19–101 (i) “Licensed graduate social worker” means an individual licensed by the Board, on or before June 30, 2018, to practice graduate social work.

(n) “Practice graduate social work” means, on or before June 30, 2018, to have used the education and training required to obtain a master social work license under § 19–302(c) of this title to practice social work under the supervision of a licensed certified social worker, licensed certified social worker–clinical, or licensed graduate social worker who meets the conditions specified in regulations.

² The names of individuals and facilities are confidential.

COMPLAINT

3. On May 16, 2018, the Board received a Complaint (the “Complaint”) from the Manager of the program (the “Complainant”) where the Respondent was an employee. The Complaint detailed the following, *inter alia*:

- A. On February 26, 2018, the Respondent came to work and reported to her colleagues that she did not feel well, that she had just come from “chemo this morning,”³ and was feeling ill.
- B. About 9:00 AM, when a patient became loud and agitated in the hallway, the Respondent came out of her office and she too became loud and got very close to the patient physically, using slang and presented “bizarre, out-of-character and unprofessional behavior” in response to the patient. The Respondent’s behavior was also observed by patients.
- C. At approximately 12:45 PM, the Complainant was notified that the Respondent was sick and needed to go home but was too sick to drive herself home.
- D. The Complainant went to the Respondent’s office to check on her and observed the Respondent at her desk crying, dry-heaving and making

³ Chemo or a chemotherapy treatment: the treatment of disease by means of chemicals that have a specific toxic effect

loud, retching noises. According to the Complainant, the Respondent grabbed the Complainant's waist and pressed her face into her abdomen and would not let go. The Respondent stated that she would "start" going to chemotherapy treatment "the next week," contradicting her earlier statement that she had received chemotherapy treatment earlier that day.

- E. Two other colleagues entered the Respondent's office. The Respondent was on the floor, grabbed a coworker's clothing and appeared to be sick before blacking out for a few seconds.
- F. As the staff transferred the Respondent from the floor to a stretcher, the Respondent flailed her arms and legs, exposed herself, grabbed their clothing, and began screaming. This continued in the patient care area and the Respondent had to be restrained by her colleagues during transport to the Emergency Room at the Hospital.
- G. While at the Emergency Room, the Respondent continued her disruptive behavior. Her colleagues, a RN and Nurse Practitioner, stayed with the Respondent because she was unable to change out of her clothes and into a hospital gown. The Respondent was admitted to the Hospital and placed out of work as of that date.
- H. The Complainant indicated that the Respondent's behavior was

upon the disease-producing microorganisms or that selectively destroy cancerous tissue.

“unprofessional, severely disruptive to the patient care environment, as well as to her colleagues’ working environment...out control.”

BOARD INVESTIGATION

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

5. The Board subpoenaed the Respondent’s personnel file from the Hospital that contained a copy of the Hospital’s “Drug Free Workplace Policy,” signed and initialed by the Respondent.

6. On March 2, 2018, the Respondent went to the Hospital’s Occupational Health Department and underwent a “Fit for Duty exam” during which she submitted urine and blood samples which were forwarded to an outside lab for analysis. The Respondent disclosed to the Examiner that she had a substance abuse problem that led to her consuming a legal substance every day until she was forced to seek medical treatment. The Respondent acknowledged that she relapsed and started consuming the substance again. The Respondent acknowledged that she has begun treatment and medication again.

7. The Board’s Investigator interviewed the Complainant who disclosed that the Respondent had a history of “abusing Family Medical Leave”; had failed to notify her of any serious medical issues, as required; and that the Complainant had smelled a substance on the Respondent’s breath at work.

8. The Respondent stated to the Investigator that she accepts full responsibility for her behavior and admitted that she was intoxicated while at work on February 26, 2018 and was not truthful about receiving chemotherapy on that date.

9. The Respondent was terminated from employment at the Hospital because she submitted false documentation about her medical treatment.

10. By disrupting the patient environment and workplace when coming to work under the influence of a substance and behaving in such a manner that caused several colleagues to leave their clients to tend to her; by not being truthful about her medical condition, and by submitting falsified documents regarding her medical condition, the Respondent violated the following provisions of the Act under Health Occ. §19-311: (4) Commits any act of ... misconduct in the practice of social work; and (5) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work.

11. As set forth above, by falsifying documents and being impaired at work and lying about it, the Respondent violated the following provisions of the Act under Health Occ. §19-311: (8) Provides professional services while: Under the influence of alcohol; or Using any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article, or other drug that is in excess of prescribed amounts or without valid medical indication; and in violation of the Code of Ethics, in violation of COMAR 10.42.03: .02 Definitions. (4) "Impairment" means a licensee whose diminished capacity affects the

licensee's practice of social work because of: (a) Substance abuse [;]).

12. Subsequent to the Board's Charges being issued, the Board was notified that the Respondent had been found guilty in the Circuit Court of Loudoun County, Virginia, on July 10, 2019, of two counts of unlawful distribution of narcotics. On October 2, 2019, in that same Court, the Respondent was sentenced to a term of 20 years, with 15 years suspended, for a total sentence of five years. Upon release, she is to be placed on supervised probation for five years, subject to condictions such as substance abuse counseling and/or testing; pay restitution to the Loudoun County Sheriff's Tactical Enforcement Unit; her driving privilege in the Commonwealth is suspended for six months; and, she is to pay the costs of the proceedings.

13. As set forth above, the Respondent violated the following provisions of the Act under Health Occ. §19-311: (7) Is convicted of or pleads guilty or *nolo contendere* to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

14. A social worker who violates the Act and the regulations as set forth above should have her license revoked.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated § of H.O. . § 19-311 (4), (5), (6), (7) and (8) of the Act and COMAR COMAR 10.42.03 A., B., and C .02 (4) (a).

As set forth above, the Board hereby orders that the license to practice as a Licensed Graduate Social Worker in Maryland held by **SHANNON MCHALE, LGSW, License No. G06641**, the Respondent, be and is **REVOKED**, and that this Order is public, pursuant to Md. Code Ann., General Provisions §§ 4-101 *et seq.* (2014 Vol. and 2019 Supp.).

NOTICE OF RIGHT OF APPEAL

In accordance with §19-313 of the Act and Md. Code Ann., State Government, §§10-201, *et seq.*, (2014 Repl. Vol. and 2019 Supp.), you have a right to a direct judicial appeal of this decision. A petition for appeal of the Final Board Order shall be filed within thirty days from your receipt of this Final Order and shall be made in accordance with the aforesaid authority.

9/11/2020



Date

Gerard Farrell, Board Chair
State Board of Social Work Examiners