

Resubmitted
DEC 28 2021
Board of Social Work Examiners

IN THE MATTER OF * BEFORE THE MARYLAND
SHARION PHILLIP, LMSW * STATE BOARD OF
Respondent * SOCIAL WORK EXAMINERS
License Number: 19929 * Case Number: 2020-2912

* * * * *

CONSENT ORDER

On or about October 27, 2021, the Maryland State Board of Social Work Examiners (the "Board") charged SHARION PHILLIP, LMSW (the "Respondent"), License Number 19929, with violating the Maryland Social Workers Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ.") §§ 19-101 *et seq.* (2021 Repl. Vol.) (the "Act").

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; [and]
- (8) Provides professional services while:
 - (i) Under the influence of alcohol[.]

Following a Case Resolutions Conference (CRC) at the Board, the Respondent agreed to enter this public Consent Order consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

The Board finds the following facts.

BACKGROUND

1. At all times relevant to these charges, the Respondent was and is licensed to practice social work in the State of Maryland. The Board originally issued a license to the Respondent on May 29, 2014, under License Number 19929. The Respondent's license is current through October 31, 2022.

2. At all times relevant to these charges, the Respondent was employed as a social worker at a hospital (the "Hospital")¹ located in Baltimore County, Maryland.

THE COMPLAINT

3. On or about November 30, 2020, the Board received a complaint (the "Complaint") from the Respondent herself, stating that she had arrived to work in an impaired state due to alcohol consumption.

4. According to the Complaint, on or about November 8, 2020, a colleague observed the Respondent stumbling when she arrived at the Hospital for work and informed her that she smelled of alcohol. The Respondent then informed her supervisor of the situation and took a breathalyzer test, which produced a "positive" result for alcohol. The Respondent reports that she did not see patients that day, and indicates that she has contacted a counselor, with whom she will meet weekly to address the incident.

¹ To ensure confidentiality, the names of any clients or health care providers will not be used in this document. The Respondent may obtain this information by contacting the assigned administrative prosecutor.

5. Based on the Complaint, the Board initiated an investigation.

INVESTIGATION

6. In furtherance of the investigation, the Board's investigator obtained the Respondent's personnel file from the Hospital. Contained in the file is an incident report documenting the event described in the Complaint. The incident report states that on November 8, 2020, the Respondent was observed stumbling. After she tested positive for alcohol, the Respondent was suspended from the Hospital and sent home.

7. As a condition of reinstatement, the Respondent was required to report the incident to the Board, complete counseling/treatment as recommended, comply with the Hospital's substance abuse policy, and upon reinstatement, agree to undergo random substance testing for one year.

8. On or about February 19, 2021, in an interview with the Board's investigator, the Respondent's supervisor stated that the Respondent fulfilled the conditions for reinstatement and returned to work at the Hospital on December 2, 2020.

CONCLUSIONS OF LAW

The Board concludes as a matter of law that the Respondent's actions, as described above, constitute in whole or in part, a violation of the above-cited provisions of the Act.

ORDER

ORDERED that the Respondent is **REPRIMANDED**; 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 social worker will be listed in the Board's computer records and website as being on "Probation";
2. The Respondent shall enroll in an appropriate rehabilitation program, Board-approved in advance (the "Program"), as follows:
 - a. Within 5 business days, the Respondent shall contact the Program to schedule an initial consultation for enrollment;
 - b. Within 15 business days, the Respondent shall enter into a contract to receive rehabilitation services and comply with Program recommendations;²
 - c. The Respondent shall fully and timely cooperate and comply with all Program referrals, rules, and requirements, including, but not limited to, the terms and conditions of any rehabilitation agreement(s) entered with the Program, and shall fully participate and comply with all therapy, treatment, evaluations, and screenings as directed by the Program;
 - d. The Respondent shall sign and update the written release/consent forms requested by the Board and the Program, including release/consent forms to authorize the Program to make verbal and written disclosures to the Board and to authorize the Board to disclose relevant information from the Program's records and files in a public order. The Respondent shall not withdraw her release/consent;
 - e. The Respondent shall also sign any written release/consent forms to authorize the Program to exchange with (i.e., disclose to and receive from) outside entities (including all of the Respondent's current therapists and treatment providers) verbal and written information concerning the Respondent and to ensure that the Program is authorized to

² The Respondent is already enrolled in a rehabilitation program. For purposes of the probationary conditions of this Consent Order, this program shall be deemed acceptable as long as it continues to comply with the probationary requirements set forth above.

receive the medical records of the Respondent, including, but not limited to, mental health and drug or alcohol evaluation and treatment records. The Respondent shall not withdraw her release/consent; and

f. The Program shall conduct random toxicology screening, and all such results must be immediately reported to the Board.

3. The 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 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 5 (five) years from the effective date of this Consent Order; and it is further

ORDERED that nothing in this Consent Order shall be construed to preclude the Respondent from applying for her next level of licensure when otherwise qualified to do so; 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, will grant 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 all charges; and it is further

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 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. Code Ann., State Gov't 10-611 et seq (2014 Repl. Vol.), and is reportable to any entity to which the Board is obligated to report.

1/28/2022

Date

Karen Richards, LCSW-C

Karen Richards, LCSW-C, Chair

Maryland State Board of

Social Work Examiners

CONSENT

I, Sharion Phillip, LMSW, 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.

12/21/21
Date

Sharon Phillip
Sharon Phillip, LMSW
The Respondent

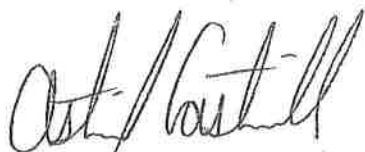
NOTARY

STATE OF Maryland

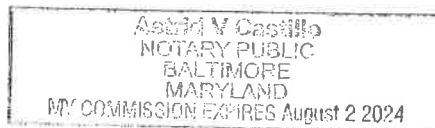
CITY/COUNTY OF: Baltimore

I HEREBY CERTIFY that on this 21 day of December, 2021, before me, a Notary Public of the State and County aforesaid, personally appeared Sharion Phillip, LMSW, 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: 08/02/2024