

IN THE MATTER OF

*

BEFORE THE MARYLAND Board of Social Work Examiners

STACEY JORDANA REMPert, LCSW-C

*

BOARD OF

JAN 12 2021

RESPONDENT

*

SOCIAL WORK EXAMINERS

License Number: 13359

*

Case Number: 2018-2442

* * * * *

CONSENT ORDER

On or about October 9, 2020 the Maryland Board of Social Work Examiners (the "Board") charged STACEY JORDANA REMPert (the "Respondent"), License Number 13359, with violating the Maryland Social Workers Act (the "Act") codified at Md. Code Ann., Health Occ. §§ 19-101 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

The Board based its actions on the following pertinent provisions of the Act:

§ 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:

....

- (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;
- (13) Submits a false statement to collect a fee;
- (20) Fails to maintain adequate patient records[.]

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Pursuant to Health Occ. § 19-311(6), the pertinent provisions of Md. Code Regs. Examiners
("COMAR"), provide the following:

COMAR 10.42.03.03. Responsibilities to Clients.

- A. The licensee shall:
 - (2) Make the fee for service clear, maintain accurate financial records, stipulate payment schedules, and confirm arrangements for financial reimbursement with the client;
- B. The licensee may not:
 - (1) Participate or condone dishonesty, fraud, deceit, or misrepresentation;

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[.]

On November 16, 2020, the parties appeared at a Case Resolution Conference ("CRC") before a committee of the Board. The Respondent, represented by counsel, 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.

I. FINDINGS OF FACT

The Board finds that:

I. Background

1. At all times relevant hereto, the Respondent was licensed to practice social work in the State of Maryland. The Respondent was initially licensed to practice as a licensed clinical social worker - clinical ("LCSW-C") in Maryland on or about December

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12, 2006. The Respondent's LCSW-C has a status of "active" and is set to expire on October 31, 2020.

II. Complaint

2. On or about January 26, 2018, the Board received a complaint from Practice,¹ a therapy private practice located in Columbia, Maryland, which alleged that the Respondent was overbilling a client and using the overpayment fees for her own personal use.

3. On October 12, 2012, the Respondent entered into a consulting agreement with Practice to provide counseling and therapy to clients.

4. On or about November 10, 2017, at a staff meeting, Employer asked the contractors in the office to look at their client records to determine if anyone was carrying a balance. The Respondent talked to Employer about Client, a patient who was seen by the Respondent, who owed \$35.00 but had not been back to have a session for a month. Employer told the Respondent it was appropriate to contact Client to ask that she pay her balance.

5. The Respondent met with Employer later in November 2017, and the Client's balance at that time was \$10.00. The Respondent reported that she then went back to Client, told her that she was owed money, and Client told the Respondent she betrayed her trust since she told her two different things. Client requested to speak to someone in charge of billing, and the Respondent asked Employer to look into Client's

¹ To maintain confidentiality, facility, witness, and employer names will not be disclosed in this document but will be provided to the Respondent upon request.

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balance. The Respondent provided Employer with a copy of an account statement printed in October that stated in bold that Client had a \$10.00 credit.

6. On December 1, 2017, the Respondent sent a text message to Employer, notifying them that she had received an email from Client who was upset by the ongoing errors regarding payments, credits, and balances due for therapy appointments. On December 2, 2017, the Respondent sent a text message to Employer saying that she emailed Client and notified her that they would be responding to her soon. The Respondent then told Employer that maybe they should just send her a reimbursement check if Client did in fact have a credit. The Respondent sent Employer a text message stating, "I tried to think back and realized I made a mistake at first and told her \$35.00 based on just our last session, and then told her never mind, that there was an error in the system and she didn't owe anything, when in reality she actually had a credit. I have no idea what I was thinking but this is probably part of the problem and why she is confused. She thinks I made something up and then changed my mind."

7. On January 8, 2018, Employer received an email from Client which stated:

I received your letter about [the Respondent's] misunderstanding of my credit, as well as the check for ten dollars. This is all very suspect to me, as the amount I owed/owed to me, has changed multiple times. First [the Respondent] emailed me to ask for the payment of 35 dollars, then she emailed to tell me that I didn't owe the 35 dollars, and then, only after my email back to her questioning the situation did she tell me that I was owed 10 dollars. This is incredibly unprofessional and unacceptable, as I am paying her (and your company) a lot of money per session and to not accurately keep track of it is absurd and beyond disappointing.

I am requesting that you send me an itemized list of my payments when I overpaid and the balance that I accrued throughout the entire

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time that I was at [Employer]. I think this is fair to ask, seeing as the balance of 10 dollars essentially came out of no where.

8. On January 9, 2018, the Respondent asked Employer if she still had Client's address information. Employer responded and notified the Respondent that she had received an email from Client. Employer told the Respondent she would forward Client's letter to her and not to respond to Client until she had read the email. The Respondent met with Employer at her office and the Respondent reported that she had done "something bad." The Respondent provided 90 minute sessions to Client and billed for a 60 minute session. The Respondent collected the fee and did not provide Center with a \$12 fee, which was arranged for in the Respondent's employment contract. The Respondent alleged that the money that was misappropriated was not client funds, rather it was funds that she owed to Employer. Employer notified the Respondent she would no longer be able to practice with Employer and that a report would be made with the Board.

9. On January 15, 2018, the Respondent was terminated by Employer due to stealing and unethical practices.

III. Board Investigation

10. On May 16, 2019, Employer was interviewed by the Board's Investigator under oath. During the interview, Employer stated, in part:

- a. She is a practicing LCSW-C and is licensed by the Board. She is a solo practitioner in an office with other practitioners.
- b. The Respondent was hired by Employer as an independent contractor and she saw individual clients for counseling.
- c. The Respondent provided professional services to Client from February 1, 2017 to August 23, 2017.

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- d. After discovering billing discrepancies, she spoke with the Respondent who admitted that she knowingly and fraudulently entered the wrong billing codes into the system.
- e. The Respondent apologized for stealing money from Employer and when asked why, the Respondent explained that she didn't know why she was stealing that money.
- f. The Respondent made restitution but Employer was concerned about the Respondent's ethical issues and lack of honesty about billing practices.

11. On May 22, 2019, the Respondent was interviewed by the Board's Investigator under oath and had her counsel present. During the interview, the Respondent stated, in part:

- a. She is a solo practitioner and was previously employed by Employer as an independent contractor.
- b. She provided individual therapy to Client
- c. She spoke with Employer regarding what she believed was a balance due to Client based on her last session.
- d. She admitted to Employer that she kept money that did not belong to her without submitting it to Employer.
- e. She further stated that she exercised extremely poor judgment and didn't think through the possible far reaching ramifications of her decision.
- f. She accepted responsibility for her dishonesty in withholding funds from Employer and that she should have presented to Employer as payment that she received.

II. 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 (5), (6), (11), (13), (20) and COMAR 10.42.03.03A(2), COMAR 10.42.03.03B(1), and COMAR 10.42.03.06A(7).

III. ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this

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ORDERED, that the Respondent's license to practice social work in the State of Maryland shall be placed on **PROBATION** for a period of **ONE (1) YEAR**; and it is further,

ORDERED that for a period of one (1) year, the Respondent shall meet for at least one session per month, for a minimum of one clinical hour per session with a Board-approved supervisor for random chart review and discussion at the Respondent's expense; and it is further

ORDERED that the supervisor shall submit quarterly written reports to the Board, which shall include but not be limited to the number and type of cases reviewed, issues discussed and his/her assessment of the Respondent's practice, and the supervisor's recommendations, if any, for earlier termination of the supervision; and it is further

ORDERED that the Respondent is responsible for requesting that the supervisor submits the required quarterly reports to the Board in a timely manner; 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, and Ethics Tutor, an evaluator for the Board, or a Board Approved Supervisor for a period of 5 years from the effective date of this Consent Order; and it is further

ORDERED that the Board has sole authority to implement any changes in the supervision and retains all authority to approve any changes in the supervision; and it is further

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ORDERED that in the event the supervisor discontinues supervising the Respondent for any reason, the Respondent shall immediately notify the Board and work with the Board to find a suitable replacement; and it is further

ORDERED that the Respondent be issued a five hundred dollar (\$500.00) fine; and it is further

ORDERED that the Respondent shall enroll in a twelve (12) session ethics tutorial in accordance with the Board's supervision; 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 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 or otherwise, may impose any sanction that the Board may have imposed in this case including probation, suspension, revocation, and/or a monetary penalty; and it is further

ORDERED that for the purposes of public disclosure, this Consent Order is considered a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Provisions, §§ 4-101 *et seq.* (2014) and is reportable to any entity to whom the Board is obligated to report.²

2/12/2021



Date

Examiners

Gerard Farrell, Board Chair
Maryland State Board of Social Work

² This includes the Board's public website and NPDB.

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CONSENT

I, Stacey Jordana Rempert, LCSW-C, License No. 13359, by affixing my signature hereto, acknowledge that:

1. I am represented by counsel and I have consulted with counsel on this matter. I have knowingly and voluntarily agreed to enter into this Consent Order. By this Consent and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions.
2. I am aware that I am entitled to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 19-312 (2014 Repl. Vol. and 2019 Supp.) and Md. Code Ann., State Gov't §§ 10-201 *et seq.* (2014 Repl. Vol. and 2019 Supp.).
3. I acknowledge the validity and enforceability of this Consent Order as if entered into after the conclusion 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 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, meanings and terms of this Consent Order.

1/4/21
Date


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NOTARIZATION

CITY: Ellicott City

COUNTY: Howard

I HEREBY CERTIFY that on this 4th day of January, ^{2020,} ~~2020,~~ ²⁰²¹
before me, Lyuba T, Notary Public of the State and City/County
aforesaid, **Stacey Jordana Rempert**

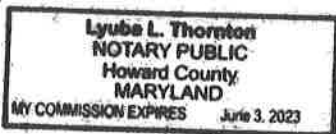
personally appeared – OR –

if, during the Maryland State of Emergency and Catastrophic Health Emergency related to COVID-19 as declared by Governor Lawrence J. Hogan, Jr. (the "Governor"), appeared in a manner and under the conditions authorized by the Governor's Executive Order ("EO") Authorizing Remote Notarizations (EO 20-03-30-04).

and made oath in due form of law that signing the foregoing Consent Order was the voluntary act and deed of **Stacey Jordana Rempert**

AS WITNESSETH my hand and notarial seal.

SEAL



Lyuba Thornton
Notary Public

My Commission Expires: June 3rd 2023