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OCT 07 2020

IN THE MATTER OF LAURIE SHERMAN, LCSW-C RESPONDENT License Number: 10871	* * * * *	BEFORE THE MARYLAND of Social Work Examiners STATE BOARD OF SOCIAL WORK EXAMINERS Case Number: 18-2576
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CONSENT ORDER

On August 14, 2020, the Maryland State Board of Social Work Examiners (the "Board") charged **Laurie Sherman, LCSW-C** (the "Respondent"), License Number **10871**, 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 decision 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:

.....

- (9) Is disciplined by a licensing or disciplinary authority of any state, country, or branch of the armed services, or the Veterans' Administration for an act that would be grounds for disciplinary action under this section; *to wit,*

Health Occ. § 19-311:

- (4) Commits any act of gross negligence, incompetence, or misconduct in the practice of social work;

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- (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;
- (20) Fails to maintain adequate patient records[.]

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

COMAR 10.42.03.03. Responsibilities to Clients.

A. The licensee shall:

....

- (5) Maintain documentation in the client's record which:

....

- (e) Is sufficient and timely to facilitate the delivery and continuity of future services;

B. The licensee may not:

....

- (7) Share with another individual a confidence revealed by a client without a client's consent, except if there is danger to self or to another

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individual, or for a compelling professional reason;

COMAR 10.42.03.06. Standards of Practice.

A. Professional Competence. The licensee shall:

....

- (7) Document and maintain appropriate records of professional service, supervision, and research work[.]

On September 23, 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.

FINDINGS OF FACT

The Board finds the following:

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 certified social worker-clinical (“LCSW-C”) in Maryland on or about August 31, 2000, under license number 10871. The Respondent’s LCSW-C license expires on October 31, 2021. The Respondent is also a Board approved supervisor.

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2. On or about November 13, 2018, the Board received notification and a copy of a National Practitioner Data Bank report (the "Complaint") from the Department of Defense's Defense Health Agency's Quality Assurance Management Division (the "Complainant"). The Complaint notified the Board that the Respondent's clinical privileges had been revoked at a medical center in Maryland (the "Medical Center") for allegedly "commit[ing] unprofessional conduct to include: use of excessive unwarranted and inappropriate profanity in professional settings; made disparaging remarks about patients and their family members (spouses); breached patient confidentiality; engaged in a pattern of behavior and deficiencies in her practice demonstrative of inadequate or substandard patient care and standards."
3. Based on the Complaint, the Board initiated an investigation.

II. Board Investigation

4. In furtherance of its investigation, the Board subpoenaed records including the disciplinary orders from the Department of Defense's Defense Health Agency. In addition, the Board interviewed the Respondent.
5. On or about January 29, 2018, the Director for the Privileging Authority for the Department of Defense's Defense Health Agency issued a final decision revoking the Respondent's privileges at the Medical Center. The disciplinary action was taken in response to the following substantiated findings:

- a. The Respondent "used excessive and unwarranted levels of profanity in professional settings;"

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- b. The Respondent “made disparaging remarks about patients and their spouses;”
 - c. The Respondent “commented on the lack of fidelity of a specific group of service members;”
 - d. The Respondent “breached patient confidentiality and violated the Health Insurance Portability and Accountability Act (HIPPA);”
 - e. The Respondent “failed to complete required documentation of clinical encounters.”
6. The final decision incorporated by reference the November 22, 2017 Hearing Panel Recommendation, which included findings, including but not limited to the following:
- a. “[T]here are numerous examples of patients and staff reports of how Ms. Sherman used expletives and harsh language” including “Ms. Sherman calling other staff members names and ‘bitches’ . . . [and] swearing ‘all the time.’”
 - b. “[S]taff members as well as patients have complained about Ms. Sherman’s use of profanity while engaged in clinical care as well as in professional settings.”
 - c. The Respondent was witnessed calling her patients a “strange group” and referring “to a previous patient as ‘@#\$’ up.”
 - d. Patients made reports about “how Ms. Sherman inappropriately communicated about patients’ spouses.” For example, “[i]n response to a question about infidelity during a Spouse Education Group, a patient reported that Ms. Sherman stated ‘Get used to it ladies. I can tell you in my experience 8 out of 10 of my patients admit to cheating on their wives.’”
 - e. A patient reported mentioning a retired service member’s name during a group session and the patient stated “that Ms. Sherman went on to comment that the former patient ‘did not do well’ during his time at [the outpatient clinic].” The investigative report “revealed that when [the Respondent] was questioned

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about the patient complaint, Ms. Sherman replied ‘I think I’ve probably done that a couple of times.’”

- f. “Copies of Ms. Sherman’s past performance review from 2008-9 and her Performance Appraisal Report from 2011-2013 revealed that she did not adequately document her clinical encounters. . . . She often failed to include social histories, a DSM diagnosis, risk assessments and violence assessments for patients and their family members. Her documentation problems are not an isolated event, and have spanned over several years despite receiving feedback from her supervisors about it.”

7. In an interview with the Board’s investigator on January 7, 2020, the Respondent reported the following:

- a. The Respondent admitted that she did “say a swear word here and there over all those years” but asserted that it was not excessive and that she “know[s] my professional boundaries and I know what’s cool and what’s not cool.”
- b. The Respondent explained that swearing is “very cultural” in the military and “when you get a bunch of guys together who are . . . professional trained killers . . . there’s a lot of bravado. . . . And there’s a lot of bantering back and forth and a lot of talk and a lot of that includes swearing.”
- c. She denied having any recollection of acknowledging a former patient to another patient.
- d. Finally, the Respondent admitted that “[a]lthough I struggled with my paperwork in the beginning things got a lot better.”

DISCUSSION

The Board finds that the Respondent was disciplined by a branch of the armed services for repeated unprofessional commentary in the presence of patients, failing to maintain client confidentiality, and failing to maintain adequate patient records. This pattern of behavior resulted in a course of conduct that was inconsistent with generally

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accepted professional standards. The Board recognizes the Respondent's willingness to accept responsibility for her actions, seek out related coursework and continuing education, develop peer support networks, and structure her practice going forward to avoid similar situations like the ones that occurred in 2014 - early 2015.

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 (4), (5), (6), (9), and (20), and COMAR 10.42.03.03(A)(5), (B)(7), and COMAR 10.42.03.06(A)(7)

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 9th day of October, 2020, by a majority of the quorum of the Board considering this case hereby:

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 two sessions 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

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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 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 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

ORDERED that in the event that 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 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 years from the effective date of this Consent Order; and it is further

ORDERED that if the Respondent violates any terms and conditions of the 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 otherwise, may impose any sanction that the Board may have


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imposed in this case including probation, suspension, revocation, and/or a monetary penalty; and it is further

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

ORDERED that for purposes of public disclosure, this Consent Order is considered a **PUBLIC DOCUMENT** 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.¹

October 09, 2020
Date


Gerard Farrell, Board Chair
Maryland Board of Social Work Examiners

¹ This includes the Board's public website and NPDB.

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CONSENT

I, Laurie Sherman, LCSW-C, License No. 10871, 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 conclusions 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 any 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, meaning and terms of this Consent Order.

10 6 20

Date

Laurie Sherman, LCSW-C

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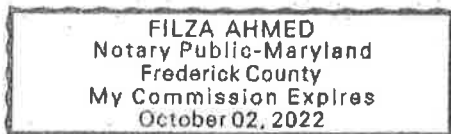
NOTARY

STATE OF Maryland

COUNTY OF Frederick

I HEREBY CERTIFY that on this 6 day of Oct 2020,
2020, before me, a Notary Public of the State and County aforesaid, personally appeared
Laurie Sherman, LCSW-C, License Number: 10871, 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.



Filza Ahmed
Notary Public

My Commission Expires: Oct 2, 2022