

IN THE MATTER OF	*	BEFORE THE STATE BOARD
MICHELLE SOSA, LMSW	*	OF SOCIAL WORK
License No. 18690	*	EXAMINERS
Respondent	*	Case No. 2016-2263

* * * * *

FINAL CONSENT ORDER

The State Board of Social Work Examiners (the "Board") charged **MICHELLE SOSA, LMSW** (the "Respondent"), with violation of certain provisions of Md. Code Ann., Health Occ. §§ 19-101, *et seq.*, (2014 Repl. Vol. and 2019 Supp.).

Specifically, the Board charged 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:

- (1) Obtained or attempted to obtain a license for the applicant... through...misrepresentation;

- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board[;]

The Board also charged that the Respondent violated § 19-308 of the Act, as follows:

§19–308. IN EFFECT

- (d) Before the license expires, the licensee periodically may renew it for an additional 2-year term, if the licensee:
 - (3) Submits to the Board:
 - (ii) Satisfactory evidence of compliance with any continuing education requirement set under this section for license renewal.

Specifically, the Board further charged that the Respondent violated its Code of Md. Regs, (COMAR), §10.42.06 Continuing Education:

.07 Reporting, Documenting, and Auditing Compliance with Continuing Education Requirements.

- A. A social worker who has completed the continuing education requirements shall attest to that on a form supplied by the Board as part of the application for license renewal, reinstatement, or reactivation. (Emphasis added.)
- B. The Board shall audit a percentage of social workers, to be selected by the Board, for each renewal period.
- C. On request by the Board, a social worker shall provide full documentation of the continuing education units completed in accordance with the requirements of §D of this regulation. (Emphasis added.)
- D. Documentation. A social worker shall provide to the Board (Emphasis added.):
 - (1) An official transcript for continuing education units earned in a course taken for credit;
 - (2) A certificate of completion for approved programs [;].
- F. Responsibility for Conducting the Audits.
 - (1) The Board staff shall:

- (a) Review and evaluate the documentation submitted for the purpose of the audits; and
 - (b) Report the findings to the Board.
- (2) The Board may require a social worker to submit a copy of the purpose, objectives, and content areas from the continuing education program.
 - (3) The Board may require a social worker to obtain additional continuing education units if a program is disapproved as a result of a review and evaluation.
 - (4) The Board may take disciplinary action under COMAR 10.42.04 against any social worker who fraudulently attests to or does not submit continuing education documentation.
 - (5) A licensee who fails to complete the continuing education requirements within the time frame specified under Regulation .03 of this chapter may be subject to informal or formal discipline for failure to meet the requirements.

FINDINGS OF FACT

The Board finds that:

- 1. At all times relevant to the charges herein, Respondent was licensed to practice Masters-level social work¹ in the State of Maryland. The Respondent was first licensed on February 4, 2013. Her license expired on October 31, 2017.

- 2. Pursuant to the aforecited regulations, the Board conducted an audit of licensees whose licenses were renewed by October 31, 2015.

¹ §19-101 (j) “Licensed master social worker” means an individual licensed by the Board, on or after July 1, 2018, to practice master social work. §19-101 (o) “Practice master social work” means to use the education and training required under § 19-302(c) of this title to:

- (1) Practice social work under the supervision of a licensed certified social worker, licensed certified social worker–clinical, or licensed master social worker who meets the conditions specified in regulations; or
- (2) If approved by the Board in accordance with § 19-302(f) of this title, engage in independent practice.

3. As a condition of continued licensure, licensed social workers are required to obtain 40 credit hours of Continuing Education Units (CEUs) every two years in programs and categories approved by the Board. The CEUs may all be in Category I but may not consist of more than 20 CEUs in Category II. Of the required 40 CEUs, a minimum of three CEUs shall focus on ethics and professional conduct, including boundary issues. All licensees are required to sign a statement on the renewal application attesting to having completed this requirement.

4. The Respondent was chosen to be included in the Board's audit for the renewal period from November 1, 2013 to October 31, 2015. On January 4, 2016, the Respondent was sent an initial notice requesting that the required continuing education documentation be supplied by February 4, 2016.

5. Consequently, a second letter, "Post Renewal Audit-Problem Notice" was sent on February 12, 2016. A "Final Notice" letter was sent on March 3, 2016 stating the audit file has been submitted to the Board.

6. A further review of the Respondent's CEU certificates revealed that the Respondent earned 18 Category I CEUs and 10.5 Category II CEUs. A CEU certificate for 20.5 Category I CEUs was submitted without an authorized signature; however, that entity was not an approved Board sponsor, so, even with a signature, it was not valid and did not count toward Category I fulfillment.

7. Therefore, the Respondent lacked 11 Category I CEUs for renewal and her CEUs were incomplete. Consequently, she failed the audit.

8. Inasmuch as the Respondent certified that she had submitted the requisite amount of CEUs necessary for licensure renewal, and she failed to obtain same, she obtained her license by misrepresentation, in violation of § 19-311 (1).

9. In obtaining her license without obtaining the requisite number of CEUs, the Respondent violated the Board's Act and regulations, pursuant to § 19-311 (6), § 19-308 of the Act, and COMAR 10.42.06.07.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Board's Act and regulations, pursuant to §§ 19-311 (1) and (6) and §19-308 (d) (3) (ii) of the Act, and COMAR 10.42.03.01 A. and B; and, COMAR 10.42.03.06. .07 A., B., C., D. (1) and (2), F. (1) (a) and (b), (2), (3), (4) and (5).

ORDER

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

ORDERED that Respondent is REPRIMANDED; and be it further

ORDERED that the Respondent shall be assessed a monetary penalty of \$250, payable within one year of the effective date of the Consent Order; and be it further

ORDERED that, should the Respondent apply for reinstatement/renewal of her license, within the next 10 years, she would have to complete the next audit cycle. Failure to comply with the audit would result in an automatic suspension of the Respondent's license until the next renewal cycle, at which time the Board would convene a Case Resolution Conference to determine what terms and conditions it would set for the Respondent's continued practice.

ORDERED that Respondent shall bear all costs of complying with this Order. and it is further

ORDERED that the effective date of this Order is the date that it is signed by the Board;

ORDERED that Respondent shall obey all laws and regulations that govern the practice of social work in the State of Maryland whenever she practices in Maryland;

ORDERED that, 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 the Order shall be on the Respondent to demonstrate compliance with the Order or conditions; 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, for purposes of public disclosure and, as permitted by Md. General Provisions §§ 4-101 *et seq.* (2014 Vol. and 2019 Supp.), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law, and Order, and is reportable to any entity to whom the Board is obligated to report, and will be displayed on the Board's website.

9/9/2020



Date

Gerard Farrell, Chair
Board of Social Work Examiners

CONSENT OF MICHELLE SOSA, LMSW, RESPONDENT

Received
JUL 29 2020
Board of Social Work Examiners

I, MICHELLE SOSA, LMSW, Respondent, by affixing my signature hereto, acknowledge that:

1. I am not represented by an attorney and have knowingly and voluntarily waived my right to an attorney prior to signing this Consent Order.
2. I am aware that without my consent, my license to practice as a LMSW 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 further disciplinary action, possibly including revocation, against my license to practice as a LMSW in the State of Maryland.

7/14/2020
Date


MICHELLE SOSA, LMSW

STATE OF Virginia :

CITY/COUNTY OF Arlington :

I HEREBY CERTIFY that on this 14 day of July, 2020,
before me, Renisha Weston, a Notary Public of the foregoing State and
(Print Name)
(City/County), personally appeared **MICHELLE SOSA, LMSW**, 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.



Renisha Weston
Notary Public

My Commission Expires: November 30, 2020