

IN THE MATTER	*	BEFORE THE
REGINALD SUGGS, LGSW	*	MARYLAND STATE BOARD
Respondent	*	OF SOCIAL WORK EXAMINERS
License Number: G07844	*	Case Number: 493
* * * * *	*	* * * * *

FINAL ORDER OF REVOCATION

Pursuant to the Maryland Administrative Procedure Act ("APA"), Md. State Gov't. Code Ann. § 10-226, *et seq.* (2004 Repl. Vol. and 2006 Supp.), and the Maryland Social Workers Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") § 19-101, *et seq.* (2005 Repl. Vol. and 2006 Supp.), the Maryland State Board of Social Work Examiners (the "Board") sent a Notice of Intent to Revoke the Graduate Social Work License of Reginald Suggs ("Respondent"), license number G07844, to Respondent on October 12, 2007. Respondent received and signed for the Notice of Intent to Revoke on October 18, 2007.

The pertinent provisions of the APA state:

State Gov't § 10-226 (c)

- (1) Except as provided in paragraph (2) of this subsection, a unit may not revoke or suspend a license unless the unit first gives the licensee:
 - (i) written notice of the facts that warrant suspension revocation; and
 - (ii) an opportunity to be heard.

The pertinent provisions of H.O. § 19-311 the Act state:

Subject to the hearing provisions of §19-312 of this subtitle, the Board may deny a license to any applicant, reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the applicant or licensee:

- (20) Fails to comply with the requirements of any order entered by the Board as a result of any disciplinary matter with the Board, including payment of costs as required by § 19-312 of this subtitle [;]

The Notice instructed the Respondent to request a hearing in writing within thirty (30) days of the Notice. More than 30 days have passed, and the Respondent has failed to request a hearing. Therefore, the Board hereby **REVOKES** the Graduate Social Work License of the Respondent.

BACKGROUND

On June 17, 2003, the Maryland State Board of Social Work Examiners charged the Respondent with violating the Act. Specifically, the Board charged the Respondent with violations of the following sections of H.O. §19-311:

Subject to the hearing provisions of §19-312 of this subtitle, the Board may deny a license to any applicant, 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;
- (6) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work;
- (7) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board;
- (12) Knowingly makes or files a false report or record in the practice of social work;
- (14) Submits a false statement to collect a fee [;].

The Board also charged the Respondent with violations of its Code of

Professional Ethics, Code of Maryland Regulations ("COMAR") tit. 10, § 42.03

(1999). The relevant provisions are as follows:

.03 General Conduct.

A. The licensee shall:

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

- (a) Is legible;
- (b) Accurately reflects the services provided, including treatment plans, treatment goals, and progress notes;
- (c) Indicates the time and date the services were provided;
- (d) Protects the client's privacy by including only information directly relevant to the delivery of services;
- (e) Is sufficient and timely to facilitate the delivery and continuity of services to be delivered in the future; and
- (f) Is reasonably accessible for the period required by law, after termination of services[;].

B. In the capacity of or identity as a licensed social worker, the licensee may not:

- (1) Participate or condone dishonesty, fraud, deceit, or misrepresentation[;].

These charges ultimately led to an evidentiary hearing on the merits, held on December 9, 10 and 11, 2003 at the Office of Administrative Hearings ("OAH"), before Sondra L. Spencer, Administrative Law Judge ("ALJ"), pursuant to the APA, State Gov't §10-205 and the Act.

On March 9, 2004, the ALJ issued a Proposed Decision with Findings of Fact, Discussion, Conclusions of Law and a Proposed Disposition. The ALJ concluded by a

preponderance of the evidence that the Respondent violated H.O. § 19-311 (4), (6), (7), (12) and (14) and COMAR 10.42.03.03A(5) and 10.42.03.03(B)(1). Neither party filed Exceptions to the ALJ's Proposed Decision.

After consideration of the entire record in this case, including the Proposed Decision, exhibits and the record made before the ALJ, on August 13, 2004, the Board issued a Final Decision and Order, which found that the Respondent violated, as a matter of law and by a preponderance of the evidence, §§ 19-311(4), (6), (7), (12) and (14) and COMAR 10.42.03.03A(5) and 10.42.03.03B(1), by submitting false billing for therapy for children in various Baltimore City public schools; therapy which the Respondent failed to provide.

The Board ordered, *inter alia*, the following:

A. That the license of [the Respondent] be **SUSPENDED** for six (6) months commencing 30 days from the date of the signing of this Order; and be it further

ORDERED that following the 6-month period of suspension, the [Respondent's] license shall be placed on **PROBATION** for three (3) years, governed by the following conditions:

- 1) Respondent shall obtain a Board **pre-approved** licensed social worker supervisor **prior to the commencement of his** probationary period who will monitor Respondent's social work practice, with a focus on record keeping;
- 2) The supervisor shall be provided with a copy of the Final Decision and Order;

- 3) Respondent shall meet with the supervisor on a weekly basis for the first three months of his probation and shall ensure that the supervisor files monthly reports on his progress with the Board;
- 4) Respondent shall meet with the supervisor on a monthly basis for the second three months of his probation and shall ensure that the supervisor files monthly reports on his progress with the Board;
- 5) Respondent shall meet quarterly with the supervisor for the balance of his probationary period and shall ensure that the supervisor files quarterly reports on his progress with the Board;
and it is further

ORDERED that within six (6) months of the date of commencement of his probationary period, Respondent shall enroll in and successfully complete a Board **pre-approved** course in professional ethics, which may be either a course consisting of a minimum of 12 hours or an individual tutorial; and it is further

ORDERED that there shall be no early termination of probation; and it is further

ORDERED that Respondent's failure to fully comply with the terms and conditions of this Final Decision and Order shall be deemed a Violation of Probation and of the Final Decision and Order and that upon such violation the Board may impose any discipline which it might have imposed for Respondent's action in this case; and it is further

ORDERED that the burden of proof shall be on Respondent to demonstrate

compliance with the Order and the terms and conditions of Probation, except for any new charges issued by the Board that are unrelated to this case.

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

1. As set forth above, the Respondent was suspended from the practice of social work on August 13, 2004 and required to petition the Board for reinstatement.
2. The Respondent petitioned the Board for reinstatement, which was approved in February 2006.
3. Pursuant to the Board's Final Decision and Order, the Respondent was reinstated and his Supervision Agreement, dated April 5, 2006, was approved.
4. The Respondent was supervised by the Supervisor, who wrote a report to the Board dated June 16, 2006.
5. The Supervisor did not inform the Board until February 2007 that she stopped supervising the Respondent in July 2006 because their place of employment had closed, and she chose not to work at the new place. The Respondent apparently worked for about two weeks at another place, without an approved supervisor or supervision agreement.
6. The Board contacted the Respondent in April 2007 regarding the letter it had received from the supervisor, but the Board received no response from Respondent.
7. The Respondent failed to complete the ethics course, as required by the Final Decision and Order.
8. The Respondent failed to comply with the terms and conditions of the

Final Decision and Order, the terms of probation and has violated the Act.

CONCLUSIONS OF LAW

In light of the foregoing Facts That Warrant Revocation, specifically Respondent's blatant failure to comply with the requirements of an order entered by the Board as a result of a disciplinary matter, the Board finds that Respondent violated H.O. § 19-311(20).

SANCTION

The Respondent is guilty of serious violations of the Social Work Practice Act and the Board's regulations and Code of Ethics. The Respondent repeatedly has been dishonest in his practice and betrayed his employer, his peers, his clients and the public trust by his actions. Due to Respondent's complete disregard of his duties and responsibilities as a professional social worker, especially while under an order of the board for a disciplinary matter, the Board believes that a severe sanction is necessary to deter such further misconduct by the Respondent and by other social workers who may be tempted to abdicate their responsibilities to practice social work in an honest and responsible manner and to ignore the terms and conditions mandated in a Board order.

As the Board's sanctions act as a "catharsis for the profession and a prophylactic for the public," (McDonnell v. Comm'n on Medical Discipline, 301 Md. 426, 436 (1984)), it is imperative that social workers understand that serious misconduct has serious ramifications and is likely to have an effect on one's license to practice one's profession. It is for all of these reasons that the Board has determined that revocation is the appropriate sanction for Respondent's misconduct.

ORDER

Based on the foregoing Facts That Warrant Revocation and Conclusions of Law, by a majority vote of the full authorized membership of the Board, it is hereby

ORDERED on this 11th day of January 2008, that the Maryland social work license of Respondent, Reginald Suggs, LGSW, license number G07844, is **REVOKED**; and it is further

ORDERED that upon presentation and receipt of this Final Order of Revocation, the Respondent shall immediately have delivered to the Board the display license and wallet-sized license to practice as a graduate social worker in the State of Maryland, previously issued by the Board; and it is further

ORDERED that this Final Order of Revocation shall be effective from the date it is signed by the Board; and it is further

ORDERED that this is a Final Decision and Order of the Maryland State Board of Social Work Examiners, and, as such, is a PUBLIC DOCUMENT and is reportable to any entity to which the Board is obligated to report, and is disclosable pursuant to the Maryland Public Information Act, codified at Md. State Govt. Code Ann. § 10-611, *et seq.*

1/11/08
Date

Yvonne M. Perret, LCSW-C
Yvonne M. Perret, LCSW-C, Chair
Maryland State Board of Social Work
Examiners