

MELINDA TRACY, LCSW-C * BEFORE THE
Respondent * MARYLAND STATE BOARD
License Number: 14440 * OF SOCIAL WORK EXAMINERS
* Board Case Number: 16-2303

* * * * *

PRE – CHARGE CONSENT ORDER

Background

Melinda Tracy, LCSW-C was included in a Post Renewal Continuing Education Audit conducted by the Maryland Board of Social Examiners (“the Board”) on licenses requiring renewal by October 31, 2017. As a condition of continue licensure, licensed social workers are required to obtain forty (40) credit hours of Continuing Education Units (“CEU”) every two years in programs and categories approved by the Board, in accordance with Md. Code Ann., Health Occ. § 19-309(d)(3)(ii) and COMAR 10.42.06.03. The CEU’s may all be in Category I but may not consist of more than twenty CEU’s in Category II. A minimum of three CEU’s, of the required forty CEU’S shall focus on ethics and professional conduct, including boundary issues.

In lieu of instituting formal proceedings against Ms. Tracy for violations of the Maryland Social Workers Act, Md. Code Ann., Health Occ. § 19-101 et seq., the Board voted to resolve this matter by way of a Pre-Charge Consent Order. As a result, the Board and Ms. Tracy agreed to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

1. At all times relevant hereto, Ms. Tracy was licensed to practice social work in Maryland, License No. 14440. Ms. Tracy was first licensed by the Board on May 11, 2011, and her license is set to expire on October 31, 2017.
2. All licensees are required to sign a statement on the renewal application attesting to having completed this requirement.
3. On January 4, 2016 Ms. Tracy was mailed a letter from the Association of Social Work Boards ("ASWB") on behalf of the Board stating that she was randomly chosen as part of a Post Renewal Continuing Education Audit. This letter requested that Respondent supply continuing education documentation within thirty days of the letter. Ms. Tracy responded stating that she did not complete the CEU requirements.
4. On February 4, 2016, Ms. Tracy was mailed a second notice from ASWB "2015 Post Renewal Audit-Problem Notice".
5. The audit revealed that the Board received 19.25 Category I and 10 Category II continuing education units. There is an outstanding balance of .75 Category I CEUs, and 10 Category II CEUs.

CONCLUSION OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Ms. Tracy is subject to disciplinary action in accordance with Md. Code Ann. Health Occ. § Health Occ. § 19-311 (4), (5), (6), (7), (13), and COMAR 10.42.06.03.

ORDER

Based on an affirmative vote of a majority of the Board, it is this 14th day of April, 2017, hereby:

ORDERED that Respondent's license shall be **REPRIMANDED**;

ORDERED Ms. Tracy shall pay a fine of \$500;

ORDERED that Ms. Tracy will automatically be audited during the next two licensing renewal cycles.

ORDERED that Ms. Tracy completed the outstanding .75 Category I and 10 II CEU's within 90 days from the date of this Pre Charge Consent Order.

ORDERED that this is a formal order of the Maryland Board of Social Work Examiners and as such is a public document pursuant to the Maryland Annotated Code, General Provisions Article, Section 4-101 through 4-601 (Repl. Vol. 2014).



4/14/2017

Date

Denise Capaci, LCSW-C
Board Chair
Maryland Board of Social Work Examiners

STATE OF MARYLAND
COUNTY/CITY OF Baltimore:

I hereby certify that on this 31st day of October,
2017, before me a Notary Public of the State of Maryland and County/City aforesaid, personally
appeared Melinda Tracy, and made an oath in due form that the foregoing Consent was her
voluntary act and deed.


Notary Public

PATRICIA MORRIS ENGLISH
NOTARY PUBLIC STATE OF MARYLAND
County of Baltimore
My Commission Expires September 22, 2018

My commission expires: 22 SEP 2018

CONSENT

1. By signing this Consent, I submit to the foregoing Consent Order as a resolution of this matter In lieu of formal charges, which process would have afforded me the right to a full evidentiary hearing. I consent and submit to the foregoing Findings of Fact, Conclusions of Law, and Order as if made after a full evidentiary hearing in which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections provided by law.
2. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
3. I acknowledge that this is a formal order of the Board and as such is a public document.
4. I acknowledge the legal authority and the jurisdiction of the Board to enter into and enforce this Consent Order.
5. I sign this Consent Order freely and voluntarily and after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

10/31/17

Date



Melinda Tracy, LCSW-C