

IN THE MATTER OF  
ALYSSA WARCO, LGSW

Respondent

LICENSE NUMBER: 19496

\* BEFORE THE  
\* MARYLAND BOARD  
\* OF SOCIAL WORK EXAMINERS  
\* CASE NUMBER: 2015-2050

\* \* \* \* \*

CONSENT ORDER

On December 20, 2016, the Maryland Board of Social Work Examiners ("the Board") issued a "Notice of Charges under the Maryland Social Work Act" (the "Charges") to **ALYSSA WARCO, LGSW, (the "Respondent")** license number **19496**, based on alleged violations of the Maryland Social Work Examiners Act ("the Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 19-101 *et seq.* (2014 Repl. Vol. and 2016 Supp.).

Based upon the allegations made in the Complaint and the Board' investigation, the Board *charged* the Respondent under the following provisions of the Act:

**H.O. § 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:

- (4) Commits any act of gross negligence, incompetence or misconduct in the practice of social work;
- (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; [and]
- (20) Fails to maintain adequate patient records[.]

The pertinent provisions of COMAR provide the following:

**10.42.03.03 Responsibilities to Clients.** A. The licensee shall: 5. Maintain documentation in the client's record which: (a) Is legible; (b) Indicates the time and date the services were provided; . . . (d) Is sufficient and timely to facilitate the delivery and continuity of services to be delivered in the future.

**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.

### **BACKGROUND**

On March 6, 2017, the Respondent appeared before members of the Board and the Board's counsel for a Case Resolution Conference (CRC) to discuss the potential resolution of the Charges by consent. At the conclusion of the CRC, the Respondent agreed to enter into this Consent Order to resolve the pending charges and to avoid the expense and time of proceeding to an administrative hearing. The Respondent and the Board agreed to the inclusion of Findings of Fact and Conclusions of Law as required by the Board, and with the terms and conditions set forth herein.

### **FINDINGS OF FACT**

The Board finds the following:

1. The Respondent was initially licensed as a licensed graduate social worker on October 21, 2013. The Respondent's LGSW license is current with an expiration date of October 31, 2017.

2. At all times relevant to the charges, the Respondent was employed by Program A as a child and family therapist, providing community-based, individual and family therapy.<sup>1</sup>

3. On or about March 6, 2015, the Board received a complaint from Program A alleging that it terminated the Respondent for a violation of the company's policies.

4. Thereafter, the Board initiated an investigation.

5. On October 27, 2016, the Board's investigator interviewed Program A's Director ("Director A") under oath. According to Director A, Client A's mother complained that for approximately four-to-six weeks, the Respondent failed to show up for Client A's standing appointments.

6. Director A stated that as a part of Practice A's protocol, all clients sign the session notes. Director A met with the Respondent and asked to review the signed session notes, which the Respondent was unable to produce. The Respondent stated that she misplaced her notes.

7. Director A stated that the Respondent's notes for Client A's sessions on October 2, 2014 and January 27, 2015 were added to Program A's electronic medical recording and processed for payment. However, the Respondent could not furnish Director A with the required documentation for those dates. As a result, Program A reimbursed the third party payor in the amount of \$282.12.

8. According to Director A, Program A conducted monthly audits of three client records per therapist to ensure compliance with documentation protocols.

9. Program A terminated the Respondent.

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<sup>1</sup> In order to maintain confidentiality, names are not used in these Consent Order.

10. On November 21, 2016, the Board's investigator interviewed the Respondent under oath.

11. The Respondent denied missing sessions with Client A but acknowledged that she could not furnish Director A with the required documentation.

12. The Respondent stated that she took paper logs for the client to sign at each session. She further stated that she misplaced her folder containing the paper logs for all of her clients.

13. The Respondent further stated that she "did not keep good paperwork" because it "was a difficult job. I didn't have an office. We were strictly based, like, out of our car. . . It's very easy to misplace a piece of paper."

#### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concluded that, if proven true, the factual allegations would support a finding as a matter of law that the Respondent violated H.O. §§ 19-311(6) and (20) and COMAR 10.42.03.03A(5)(b) and 10.42.03.06A(7) due to her failure to maintain adequate documentation. The Board dismisses the remaining charges under H.O. §§ 19-311(4) and (5).

#### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, and the agreed upon terms of the resolution of the Charges by consent at the CRC, on this 14<sup>th</sup> day of April, 2017, by a majority of the full authorized membership of the Board considering this case, it is hereby

**ORDERED** that within thirty (30) days, the Respondent shall pay a monetary fine in the amount of \$250; and it is further

**ORDERED** that within six (6) months, the Respondent shall enroll in and successfully complete a Board-approved, in-person, one-on-one, ethics tutorial, focusing on the issues that gave rise to this case. After the successful completion of the ethics tutorial, the instructor shall provide the Board with a written report detailing the Respondent's participation in and completion of the course. The Respondent shall also submit a written statement to the Board stating what she has learned from the ethics tutorial. The Respondent may not use any continuing education credits earned through taking the required course to fulfill any continuing education requirements that are mandated for licensure renewal in this State; and it is further


**ORDERED** that the Respondent shall practice social work according to the Maryland Social Work Act and in accordance with all applicable laws, statutes and regulations pertaining to the practice of social work; 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 a show cause hearing before the Board, may impose any sanction which the Board may have imposed in this case, including a probationary term and conditions of probation, reprimand, suspension, lifting the stay of suspension, revocation and/or a monetary penalty; and it is further

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

**ORDERED** that this Consent Order is a **PUBLIC DOCUMENT**, pursuant to Md. State Gov't Code Ann. §§ 10-611 et seq. (2014 Repl. Vol. and 2016 Supp.), and is reportable to any entity to which the Board is obligated to report.

4/14/2017  
Date

  
\_\_\_\_\_  
Denise Capaci, LCSW-C, Board Chair  
State Board of Social Work Examiners

CONSENT

I, Alyssa Warco, LGSW, consulted with counsel before signing this document. By this Consent, I accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections as provided by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I waive my right to appeal any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having had an opportunity to consult with counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Order, and understand its meaning and effect.

3/31/17  
Date

Alyssa Warco LGSW  
Alyssa Warco, LGSW, Respondent

Read and approved by:

Brent M. Ahalt  
Brent M. Ahalt, Esq.  
Counsel for Ms. Warco

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Prince Georges :

I HEREBY CERTIFY that on this 31 day of march, 2017, before me, a Notary Public of the foregoing State personally appeared Alyssa Warco, LGSW 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.

MORGAN CAROLINE MCWILLIAMS  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires September 26, 2020

  
Notary Public

My Commission Expires: September 26, 2020

APR 14 2017  
Receiver  
Board of Social  
Work Examiners