

IN THE MATTER OF	*	BEFORE THE MARYLAND
TONYA YOUNG-CARY, LCSW-C	*	STATE BOARD OF
RESPONDENT	*	SOCIAL WORK EXAMINERS
LICENSE NUMBER: 15104	*	CASE NUMBER: 2018-2484
* * * * *	*	* * * * *

**FINAL CONSENT ORDER**

The Maryland State Board of Social Work Examiners (the “Board”) charged Tonya Young-Cary, LCSW-C, License Number: 15104, (the “Respondent”), under the Maryland Social Workers Act (the “Act”), Md. Code Ann., Health Occ. (“Heath. Occ.”) §§ 19-101 *et seq.* (2014 Repl. & 2019 Supp.). Specifically, the Board charges the Respondent with violating the following:

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

The pertinent provisions of COMAR, the code of ethics, provide the following:

**COMAR 10.42.03.06 Standards of Practice.**

B. A licensee may not:

- (2) Engage in other relationships that could limit the licensee's objectivity or create a conflict of interest or the appearance of a conflict of interest.

**FINDINGS OF FACT**

1. At all times relevant hereto, the Respondent was licensed to practice social work in the State of Maryland.

2. The Respondent was originally licensed to practice social work in Maryland on or about June 15, 2009. The Respondent's license expires on October 31, 2021.

3. On or about April 10, 2018, the Board received a complaint regarding the Respondent's conduct with the complainant (the "Complainant").<sup>1</sup>

4. An investigation by Board staff revealed that the Complainant met the Respondent in or around 1999. At the time, the Complainant was in foster care. The Respondent was the Complainant's caseworker and worked for the Baltimore City Department of Social Services ("BCDSS").

5. After the Complainant was no longer in foster care, the Complainant and the Respondent maintained a relationship for over twenty years. During this period, the

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<sup>1</sup> The name of the Complainant has been omitted to protect privacy.

Respondent loaned the Complainant money, took care of the Complainant's children, and provided the Complainant and her family members with transportation, food, clothing, and money. The Respondent also became the godmother to one of the Complainant's children.

6. In November 2014, the Complainant asked the Respondent for her help in getting the Complainant's children out of foster care. The Respondent gave the Complainant advice on how to handle a child custody matter and testified on the Complainant's behalf in a child custody proceeding involving the Complainant's children.

7. In an e-mail dated March 28, 2018, the Respondent threatened to sue the Complainant if the Complainant did not return the money, she owed the Respondent.

8. The Respondent stated in the e-mail that she wanted reimbursement for "the furniture, TV's (2), the 5 times I paid your rent, the (3x) I paid your BG&E, 3 cell phones, the 8 times I paid the cell bill, the clothing and items (Easter basket, sneakers, clothing, Wii)". The Respondent also stated in the March 2018 e-mail that the Complainant owed the Respondent for the costs associated with taking the Complainant's children to McDonalds, Chuck E Cheese, and Adventure World.

9. On April 18, 2018, the Respondent was interviewed under oath by Board Staff. The Respondent admitted that she sent the Complainant an e-mail threatening to sue her if she did not repay the cash and other items that the Respondent had given to the Complainant. The Respondent also admitted that she was angry at the Complainant

when she sent the Complainant the e-mail. The Respondent claimed that the Complainant had threatened her and her son

10. The Respondent's conduct as set above is a violation of Health Occ. §19-311 (4), (5), and (6), and COMAR 10.42.03.03B(2).

### CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Health Occ. §19-311 (4), (5), and (6) and COMAR10.42.03.03B (2).

### ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is, by a majority of the Board considering this case:

**ORDERED** that the Respondent's license to practice clinical social work in the State of Maryland is hereby **SUSPENDED** for a total period of **ONE (1) YEAR and the period of suspension shall be stayed**; it is further

**ORDERED** that the Respondent shall be placed **PROBATION** for a period of **ONE (1) YEAR** and until the terms and conditions are fully and satisfactorily complied with:

- (1) The Respondent shall enroll in and successfully complete a Board-approved ethics tutorial concentrating on boundary issues. Promptly after the completion of the tutorial, the Respondent shall ensure that the instructor provide the Board with a written report detailing the Respondent's participation in and completion of the tutorial. This ethics tutorial shall be in addition to any course required to satisfy the continuing education requirements for the applicable 2-year licensure renewal period.
- (2) Within **(1) YEAR** of the execution of the Consent Order, the Respondent shall pay a fine in the amount of **ONE THOUSAND DOLLARS (\$1000)**

by certified check or money order to the Maryland Board of Social Work Examiners.

- (3) The Respondent shall comply with the Maryland Social Workers Act and all laws, statutes and regulations pertaining thereto; 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 five (5) years from the effective date of this Consent Order; and it is further;

**ORDERED** that after the conclusion of the probationary period, the Respondent may submit a written petition to the Board requesting termination of probation. After consideration of the petition, the probation may be terminated, through an order of the Board, or a designated Board committee. The Board, or designated Board committee, may grant the termination if the Respondent has fully and satisfactorily complied with all of the probationary terms and conditions and there are no pending complaints similar to the issues in this case; 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 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 which the Board may have imposed in this case, including probationary terms

and conditions, a reprimand, suspension, revocation and/or a monetary penalty; and it is further

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

**ORDERED** that this Consent Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

09/10/2020



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Date


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Gerard Farrell, Board Chair  
State Board of Social Work Examiners

**CONSENT OF TONYA YOUNG-CARY, LCSW- C**

I, **TONYA YOUNG CARY, LCSW-C** acknowledge that I have chosen to be represented by Joseph E. Spicer, Esquire before entering into this Consent Order. By this Consent Order 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. I waive any rights I may have to contest the Findings of Fact and the 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 provided by the law. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing. I sign this Consent Order, voluntarily and without reservation, after having an opportunity to consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

6.18.2020  
Date

  
Tonya Young-Cary, LCSW-C

**NOTARY**

STATE OF Maryland

CITY/COUNTY OF Baltimore

I hereby certify that on this 18<sup>th</sup> day of June, 2020, before me, a Notary Public for the State of Maryland and the City/County of Baltimore, personally appeared Tonya Young-Cary, LCSW-C License Number: 15104 and made an oath in due form of law that the foregoing Consent Order was her voluntary act and the statements made herein are true and correct.

**AS WITNESS, my hand and Notarial Seal.**

Rochelle Samples

Notary Public

My Commission Expires: 6-11-2023

