

IN THE MATTER OF	*	BEFORE THE MARYLAND
LYNN OWENS, PSY.D.	*	BOARD OF EXAMINERS
Respondent	*	OF PSYCHOLOGISTS
License No.: 04825	*	Case Number: 2023-010

* * * * *

CONSENT ORDER

On December 11, 2023, the Maryland State Board of Examiners of Psychologists (“the Board”) charged **LYNN OWENS, Psy.D.** (“the Respondent”), License Number 04825, under the Maryland Psychologists Act (“the Act”), Md. Code Ann., Health Occ. §§ 18-101 *et seq.*

Specifically, the Board charged the Respondent with violating the following provisions of the Act:

Health Occ. § 18-313. License denial, suspension, or revocation

Subject to the hearing provisions of § 18-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license or registration to any applicant, reprimand any licensee or registrant, place any licensee or registrant on probation, or suspend or revoke a license or registration of any licensee or registrant if the applicant, licensee or registrant:

- (7) Violates the code of ethics adopted by the Board under § 18-311 of this subtitle;
- (12) Violates any provision of this title or any regulation adopted by the Board;
- (17) Commits an act of unprofessional conduct in the practice of psychology;
- (20) Does an act that is inconsistent with generally accepted professional standards in the practice of psychology[.]

Pursuant to § 18-313(7) and (12) of the Act, the Board further charged the Respondent with violating the following provisions of the Board's Code of Ethics and Professional Conduct, Md. Code Regs. ("COMAR") 10.36.05 *et seq.*:

COMAR 10.36.05.03 Responsibilities and Requirements.

A. In General

- (3) A psychologist or psychology associate shall:
 - (b) Provide psychological services only in the context of clear professional and scientific relationships and roles accepted by the standard of practice of the discipline of psychology.

COMAR 10.36.05.04 Competence.

B. Impaired Competence.

- (2) A psychologist or psychology associate may not:
 - (a) Undertake or continue a professional relationship with a client when the competence or objectivity of the psychologist or psychology associate is or could reasonably be expected to be impaired due to:
 - (i) Mental, emotional, physiological, substance abuse, or personal problems; or
 - (b) Engage in other relationships that could limit the psychologist's or psychology associate's objectivity or create a conflict of interest or the appearance of a conflict of interest.

COMAR 10.36.05.07 Client Welfare.

B. Exploitation. A psychologist or psychology associate may not:

- (1) Exploit or harm clients, colleagues, students, research participants, or others;
- (3) Exploit the trust and dependency of clients, students, and subordinates;

- (5) Enter into a new nonpsychological, nonprofessional relationship with a former client that is considered exploitative dependent on, but not limited to:
 - (a) The nature, duration, and intensity of professional services rendered to the client;
 - (b) The length of the professional relationship;
 - (c) The length of time between the termination of the professional relationship and the initiation of the nonprofessional relationship;
 - (d) The mental stability of the psychologist or psychology associate and former client;
 - (e) The circumstances of termination, including, but not limited to, statements or actions of the psychologist or psychology associate suggesting or inviting the possibility of a post-termination relationship; and
 - (f) The likelihood of adverse impact on the client.

F. Termination of Services. A psychologist or psychology associate shall:

- (1) Make or recommend referral to other professional, technical, or administrative resources if the referral is clearly in the best interest of the client.

On February 2, 2024, a Case Resolution Conference was held before a subcommittee of the Board. The Respondent and her legal counsel were in attendance, as was the Administrative Prosecutor for the State and Board Counsel. As a result of negotiations and the existence of mitigating circumstances accepted by the members of the subcommittee, the Parties agreed to resolution of the case based on the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

I. Respondent's Licensure and Employment

1. At all times relevant, the Respondent was licensed to practice psychology in the State of Maryland. The Respondent was originally licensed to practice on May 23, 2011. Her license is currently active through March 31, 2025.

2. At all times relevant, the Respondent maintained a private psychology practice in Columbia, Maryland through which she provided individual psychotherapy to adults.

II. The Complaint

3. On or about November 30, 2022, the Board received a complaint from a former client of the Respondent ("the Client")¹ alleging that the Respondent engaged in a dual relationship with her while she was under the Respondent's care which triggered previous trauma and caused lasting harm. In the complaint, the Client further stated that:

- a. The Respondent misrepresented to her during their initial appointment that she was also a parent.
- b. The Respondent often shared details about her personal life.
- c. Starting around October 2016, she and the Respondent spoke frequently on the telephone, and, one evening during the summer of 2017, the Respondent ended a telephone call by saying, "I love you." When she asked the Respondent if they could talk about this during the next therapy session, the Respondent told her that she wanted to be friends.
- d. In or around May/June 2018, the Respondent told her that she reviewed the ethical guidelines for psychologists and believed that it would be within ethical boundaries for them to become friends and no longer see each other for therapy.

¹ To maintain confidentiality, the names of individuals and health care facilities will not be identified in this document. The Respondent may obtain the identity of the individuals and health care facilities referenced herein by contacting the administrative prosecutor.

- e. During the next three years, she and the Respondent had a very close friendship and spent a significant amount of time together. During this time, the Respondent provided an enormous amount of financial support to her and bought her many gifts. Sometimes the gifts represented things the Respondent learned about her in therapy. The Respondent was aware of her past trauma and behaved in a way that triggered back to that trauma, causing psychological and emotional damage that has been difficult to overcome.
- f. Her friendship with the Respondent ended in June 2021 when the Respondent told her that she no longer wanted to have any contact with her.

III. Board Investigation

4. In response to the complaint, the Board initiated an investigation under Case Number 2023-010.

5. As part of its investigation, the Board interviewed the Respondent, the Client, and the Client's subsequent therapist. The Board also sent a subpoena to the Respondent requesting all records related to the treatment and/or care of the Client. The documents the Respondent provided to the Board include intake notes, psychotherapy progress notes, and e-mail correspondence between the Respondent and the Client.

6. The records revealed that between May 17, 2016 and April 12, 2019, the Respondent conducted approximately 514 therapy sessions with the Client. Therapy sessions were conducted in the Respondent's office or on the telephone. The Respondent billed the Client's insurance. The records also indicate that:

- a. Within the first few months of conducting therapy sessions with the Client, the Respondent realized that it would be in the Client's best interest to refer her to a different therapist.
- b. In September 2016, the Respondent told the Client that, due to her own personal history, psychology, and experience, she could not continue to be her therapist. The Client became extremely upset and left the office. The Respondent sent the Client a packet of information referring her to other

practitioners. A few days later, per the Client's request, the Respondent agreed to conduct a final session with her. During that session, the Respondent agreed to continue conducting therapy sessions with the Client.

- c. Over time, the Respondent's ability to remain professional and objective with the Client became increasingly compromised. The Respondent was aware that she "had a lot of countertransference" with the Client due to her own family history – she wished that she "could have saved [the Client] when she was growing up by being her older sister." As a result of her impaired objectivity, the Respondent admittedly repeatedly "expanded the boundaries of therapy too far."
- d. The Client frequently called and emailed the Respondent outside of therapy sessions. Throughout the years, the Respondent repeatedly asked the Client to limit these contacts and to respect professional boundaries. The Client usually became extremely upset in response to these requests. The Respondent, unable to "keep the frame" of the therapeutic relationship, failed to enforce boundaries and continued to accept the Client's after-hours calls and respond to her emails.
- e. As early as September 2017, the Respondent and the Client discussed the possibility of maintaining a friendship "when therapy concluded."
- f. Despite having multiple conversations with the Client about the importance of maintaining therapeutic boundaries, the Respondent repeatedly breached professional boundaries. For example, the Respondent accompanied the Client to a meeting with her realtor in August 2017, met members of the Client's family in August 2017, accompanied the Client to a meeting with her divorce lawyer in October 2017, loaned the Client money in December 2017, bought food for the Client in December 2017, had the Client and the Client's husband sign their separation agreement in her office in January 2018, visited the Client at home in March 2018, and went grocery shopping with the Client in August 2018.
- g. In late 2018, the Respondent's boundary violations escalated. In November 2018, the Respondent began using heart emojis in her email correspondence with the Client. In a November 21, 2018 email to the Client, the Respondent wrote, "I love you, too." On December 10, 2018, the Respondent concluded an email thread with the Client by writing, "Aw. Crying. I love you." On December 14, 2018, the Respondent visited the Client at home and wrapped holiday gifts with her. In response to an email from the Client thanking her for spending the day with her, the Respondent wrote, "Well, there's more years to come! It was fun today. We get along so well." Later that month, the Respondent and the Client exchanged holiday gifts.

- h. Despite being aware that her conduct exceeded the boundaries of a professional therapeutic relationship, the Respondent did not terminate therapy sessions with the Client until April 2019. The last psychotherapy progress note is dated April 12, 2019.
- i. In April 2019, the Respondent applied for a position with the agency the Client worked for (“Agency A”).
- j. A few hours after their last therapy session on April 12, 2019, the Respondent began an email thread with the Client with the subject line: “I am not changing my mind. I’m on top of the world!” In this thread, the Client told the Respondent, “I was just thinking how upset I was going to be if I came in tomorrow and found that you had second thoughts (again) and didn’t think it was best. I sort of let my guard down in telling you how much I wanted you to apply.” In response, the Respondent wrote, “And I’m definitely not changing my mind! I have wanted this for a long time. As long as I’m not hurting you, this is what I want.”
- k. On April 17, 2019, the Respondent sent an email instructing the recipient to stop billing for therapy for the Client after billing for April 13, 2019 because “[s]he and I are transitioning to supervision this coming week, which insurance won’t pay for.”
- l. After discontinuing therapy sessions, the Respondent and the Client regularly visited each other at home, socialized in other settings, and said “I love you” to one another in emails. They sometimes referred to each other as best friends and often compared their relationship to that of sisters.
- m. The Respondent interviewed with Agency A in May 2019. Between April 2019 and November 2019, she and the Client discussed the possibility of working together several times over email.
- n. The Respondent frequently bought things for the Client and her immediate family members throughout their friendship. For example, in May 2019, the Respondent bought the Client a bed.
- o. In January 2020, the Respondent gave the Client a check for \$10,000. The Client expressed her gratitude in an email. The Respondent thanked her for her message and said, “I love you. I will always love you. I’m so amazingly in awe and glad that you are in my life. You’re my forever friend.”
- p. In mid-June 2021, the Respondent and the Client exchanged a number of emails that began with the Respondent apologetically telling the Client that she “can’t do this anymore” and ended with the Respondent directing the

Client to stop contacting her. At one point during this exchange, the Respondent wrote, “We have blurred the boundaries this whole time. What you need now is a good therapist and you need to tell the therapist the truth. I’m very sorry.”

7. During the Respondent’s February 27, 2023 interview with Board staff, the Respondent admitted that though she “technically” did not end therapy with the Client until April 12, 2019, the relationship shifted from therapy to friendship during the last few months of 2018. The Respondent admitted that after Thanksgiving 2018, “something inside me just snapped. I couldn’t – I couldn’t do the round-the-clock phone calls anymore. I couldn’t get rid of her. [...] I really just didn’t have the spirit for her anymore.” The Respondent also admitted that in January 2019, she discussed ending therapy sessions and becoming “friends” with the Client. The Respondent admitted that her “mistake” in this case was failing to realize that she was not well enough to handle the Client and not asking for help. The Respondent acknowledged that she “prolonged [the Client’s] not healthy coping with her problems” and conceded that, though the Client was challenging, “I’m the therapist, and it’s my fault.”

8. By failing to enforce and maintain appropriate professional boundaries with the Client while she was her psychotherapy client, by continuing therapy sessions with the Client after breaching the boundaries of the therapeutic relationship, by failing to terminate the therapeutic relationship in a timely and appropriate manner, and by initiating and enabling an inappropriate post-termination friendship with the Client, the Respondent acted unprofessionally within the practice of psychology, failed to abide by generally accepted standards of practice in the field, and violated the profession’s code of ethics.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated Health Occ. § 18-313(7), (12), (17), and (20), as well as COMAR 10.36.05.03(A)(3)(b), COMAR 10.36.05.04(B)(2)(a)(i) and (b), and COMAR 10.36.05.07(B)(5) and (F)(1). The Board dismisses the charges under COMAR 10.36.05.07(B)(1) and (3).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 5th day of April 2024, by the majority of the Board considering this case:

ORDERED that the Respondent's license to practice psychology in the State of Maryland is **REPRIMANDED** and placed on **PROBATION** for a period of no less than **two (2) years**, during which time the Respondent shall comply with the following terms and conditions:

1. The Respondent shall practice under the supervision of a Board-approved clinical supervisor. Within 30 days of the effective date of this Order, the Respondent shall formally retain the services of a Board-approved clinical supervisor, provide the supervisor with a copy of the Consent Order, and provide the Board with documentation of the supervisor's agreement and receipt of the Consent Order. The Board-approved supervisor shall supervise all aspects of the Respondent's practice and focus on ethical issues and professional boundaries. The Respondent shall meet with the supervisor at least once per month. All terms and conditions of the supervision shall be determined by the supervisor. The Respondent shall ensure that the supervisor provides quarterly reports to the Board. An unsatisfactory report may constitute a violation of this Order. In the event that the supervisor ceases to perform the duties of a Board-approved supervisor for any reason, the Respondent shall immediately notify the Board within seven (7) business days;
2. The Respondent shall continue and maintain a therapeutic relationship with a licensed mental health professional, meet with her therapist at least twice per month, and shall ensure that her therapist provides quarterly progress reports to the Board confirming attendance,

participation, and cooperation. The therapeutic relationship shall preserve client/provider confidentiality except for the progress reports described above;

3. Within the first 90 days of probation, the Respondent shall successfully complete an ethics tutorial with a Board-approved psychologist ethics tutor. The Respondent shall provide the ethics tutor with a copy of the Consent Order prior to the first tutoring session. The tutorial shall address all aspects of professional ethics including the maintenance of appropriate therapeutic boundaries and termination requirements. All terms and conditions of the tutorial, including the length of the tutorial and frequency of tutoring sessions, shall be determined by the tutor. The Respondent shall ensure that the tutor provides a written report to the Board at the conclusion of the tutorial;
4. Within the first six months of probation, the Respondent shall successfully complete a Board-approved course in working with difficult clients. The course shall not count toward the continuing education credits required for license renewal; and
5. Within the first one (1) year of probation, the Respondent shall pay a fine of \$2,500; and it is further

ORDERED that the Respondent shall agree and consent to the release of the Board's investigative file in this case to her supervisor and ethics tutor; and it is further

ORDERED that the Board reserves the right to conduct a peer review by an appropriate peer review entity or a chart review by a Board designee at any time during the period of probation; and it is further

ORDERED that the Respondent shall bear all costs associated with fulfilling the terms of the Consent Order; and it is further

ORDERED that the Respondent shall at all times cooperate with the Board, her supervisor, her ethics tutor, and all Board agents or employees in the monitoring, supervision, and investigation of her compliance with the terms and conditions of the Consent Order; and it is further

ORDERED that the Respondent shall comply with the Maryland Psychologists Act and all applicable laws, statutes, and regulations; and it is further

ORDERED that failure to comply fully and satisfactorily with the terms and conditions of the Consent Order shall constitute a violation of probation; and it is further

ORDERED that in the event the Board, after providing notice and an opportunity for a hearing, finds that the Respondent failed to comply with any term or condition of probation or the Consent Order, or finds that the Respondent violated the Maryland Psychologists Act or the regulations adopted thereunder, the Board may impose further disciplinary action against her license, including additional probationary conditions, suspension, revocation, and monetary penalty; and it is further

ORDERED that after two (2) years of probation, the Respondent may petition the Board to terminate probation, provided that she has been fully compliant with the terms of probation and does not have any pending complaints filed against her; and it is further

ORDERED that the Consent Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014).

April 5, 2024

Date

Shelley McDermott, Ph.D.

Vice Chair, MD Board of Examiners of Psychologists

CONSENT

1. By signing this Consent, I hereby affirm the findings of fact contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter. 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 and enforced this Consent Order.
5. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

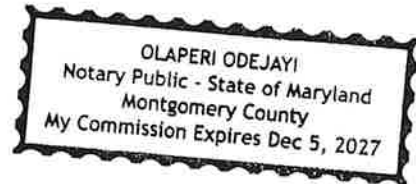
May 6, 2024
Date

Lynn Owens, Psy.D.
Lynn Owens, Psy.D.

STATE OF MARYLAND
CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 6th day of May 2024, 2024, before me, a Notary Public of the State of Maryland and City/County aforesaid, personally appeared LYNN OWENS, and made an oath in due form of law that the foregoing Consent was her voluntary act and deed.

AS WITNESS, my hand and Notary Seal.



Olaperi Odejayi
Notary Public
My Commission Expires: 12/5/27