

**IN THE MATTER OF
DEANN MC CLOUD,**

Respondent

License No. ADT1759

*** BEFORE THE MARYLAND
* STATE BOARD OF PROFESSIONAL
* COUNSELORS AND THERAPISTS
* Case Number: 2021-004**

* * * * *

PRECHARGE CONSENT ORDER OF REPRIMAND

In July of 2020, the Maryland State Board of Professional Counselors and Therapists (the "Board") initiated an investigation of Deann McCloud, License Number ADT1759 (hereinafter referred to as the "Respondent"). Based on its investigation, the Board voted to offer a Pre-Charge Consent Order of Reprimand to the Respondent, in lieu of issuing Charges for violations of the Maryland Professional Counselors and Therapists Act (the "Act"), codified at Md. Code Ann., Health Occ. ("Health Occ.") §§ 17-101 *et seq.* (2014 Repl. Vol. & 2017 Supp.), and the regulations adopted by the Board, at Md. Code Regs. ("COMAR") §§ 10.58.01 *et seq.*

Specifically, the Board determined that the Respondent violated the following provisions of the Act and COMAR:

Health Occ. § 17-509. Denial, probation, suspension, or revocation of certificate applicant or holder.

Subject to the hearing provisions of § 17-511 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny trainee status, a license, or a certificate to any applicant, place any trainee, licensee, or certificate holder on probation, reprimand any trainee, licensee, or certificate holder, or suspend, rescind, or revoke the status of any trainee, a license of any licensee, or a certificate of any certificate holder if the applicant, trainee, licensee,

or certificate holder:

- (5) Promotes the sale of drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;
- (7) Makes a willful misrepresentation while counseling or providing therapy;
- (8) Violates the code of ethics adopted by the Board;
- (9) Knowingly violates any provision of this title;
- (13) Violates any rule or regulation adopted by the Board;
- (16) Commits an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy[.]

COMAR 10.58.03.04. Ethical Responsibility.

B. A counselor may not:

- (2) Participate in dishonest, fraudulent, or deceitful activity in the capacity of a counselor; or
- (3) Enter into relationships that could compromise a counselor's objectivity or create a conflict of interest

COMAR 10.58.03.05. The Counseling Relationship.

B. Dual Relationships

- (1) A counselor shall:
 - a. Avoid dual relationships with clients[.]

The Board offered the Respondent an opportunity to settle this matter rather than pursuing formal charges against the Respondent. As a result of that offer, the Respondent and the Board agreed to the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. On or about June 26, 2018, the Respondent was granted authorization to practice as an Alcohol and Drug Trainee in the State of Maryland under Trainee Status Number ADT1759.
2. At all material times, Respondent was employed at an in-patient rehabilitation facility (“the Facility”).
3. On or about July 23, 2020, the Board received a complaint filed by Respondent’s Clinical Supervisor at the Facility.
 - a) The Complaint alleged that on June 17, 2020, Respondent’s Supervisor was notified that Respondent had sold her personal belongings (namely Respondent’s handbags) to several clients that were seeing Respondent for individual counseling.
 - b) On June 18, 2020, during a scheduled supervisor meeting, the Respondent’s Supervisor privately asked Respondent’s clients about the allegations. Respondent asked the clients to lie on her behalf and deny the transactions took place.
 - c) Later that same day, Respondent called Respondent’s Supervisor to self-report her dishonesty and admitted to conducting the transactions with her clients. Respondent admitted that she sold handbags to three clients, and had given two of her clients her personal cell phone number, which was against the Facility’s internal policies. As a result of her behavior, the Facility issued a

written warning against the Respondent.

4. As a result of the allegations, the Board initiated an investigation into Complaint No. 2021-004.
5. As part of the Board investigation, the Board requested a Letter of Response from the Respondent.
6. On or about May 11, 2021, the Board received Respondent's Letter of Response.
 - a) Respondent admitted that she "sold items to clients and then was dishonest to my supervisor when asked."
 - b) Respondent admitted that she "[struggles] with boundaries" and was "working on improving [the issue] by the trainings I am taking and with the help of my supervisor."
 - c) Respondent also stated that "Moving forward, I will be more aware of the boundaries that is a necessity to help the client."

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds as a matter of law that the Respondent's conduct, as described above, constitutes a violation of §17-509 (5); (7); (8); (9); (13); and (16). In addition, the Board finds as a matter of law that Respondent's conduct as described above constitutes a violation of COMAR 10.58.03.04(B) and COMAR 10.58.03.05(B).

ORDER

Based on the forgoing Findings of Facts and Conclusions of Law, it is hereby, by a majority of the Board members considering this case:

ORDERED, that the Respondent's license as an Alcohol and Drug Trainee in the State of Maryland is hereby **REPRIMANDED**; and it is further

ORDERED, that within **THREE (3) MONTHS** of the effective date of this Pre-Charge Consent Order, the Respondent shall enroll in, and successfully complete a Board-pre-approved, in-person or live webinar **THREE CREDIT (3 CREDIT)** ethics course focused on boundaries, and shall submit written proof of completion to the Board. The Respondent shall not use any continuing education credits earned through taking this course to fulfill any other continuing education requirements that are mandated for licensure renewal or advanced licensure in the State of Maryland; and it is further


ORDERED, that if the Respondent violates any of the terms and conditions of this Pre-Charge 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 to for a show cause hearing before the Board otherwise, may impose any sanction that the Board may have imposed in this case, including additional 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 fulfilling the terms and conditions of this Pre-Charge Consent Order; and it is further

ORDERED, that for the purposes of public disclosure, this Pre-Charge Consent Order is considered a **PUBLIC DOCUMENT**, pursuant to Md. Code Ann., Gen. Prov. §§ 4-501 *et seq.*

(2014) and is reportable to any entity to whom the Board is obligated to report, including the Board's public website and the National Practitioner's Database.

August 29, 2023
Date

 MS LCMPT
Mary Brotleff, LCMPT, Acting Executive Director
Maryland State Board of
Professional Counselors and Therapists
4201 Patterson Avenue
Baltimore, Maryland 21215-2299

CONSENT

I, DEANN MCCLOUD, acknowledge that I have been made aware of my right to consult with counsel before signing this document.

By this Consent, I accept this Pre-Charge Consent Order of Reprimand ("Order") in lieu of a formal evidentiary hearing on violations of the Act and COMAR contained in this Order.

I acknowledge the validity of this 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 waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Order.

I affirm that I waive my right to appeal any adverse ruling of the Board that might have followed any such hearing.

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

I voluntarily sign this Order and I understand its meaning and effect.

8-23-23

Date

Deann McCloud

Deann McCloud
Respondent

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF Frederick

I HEREBY CERTIFY that on this 23rd day of August, 2023,

before me, a Notary Public of the foregoing State and City/County did personally appear, **DEANN MCCLOUD**, and made oath in due form of law that signing the foregoing Pre-Charge Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notary seal.

Linda Carty

Notary Public

My commission expires:

