

**IN THE MATTER OF  
GABRIELA ROMO, LCPC  
RESPONDENT**

**\* BEFORE THE MARYLAND  
\* STATE BOARD OF  
\* PROFESSIONAL COUNSELORS  
\* AND THERAPISTS  
\* Case Numbers: 2020-100 & 2021-081**

**LICENSE NO. LC6800**

\* \* \* \* \*

**FINAL ORDER**

**I. PROCEDURAL BACKGROUND**

On or about June 21, 2022 the Maryland State Board of Professional Counselors and Therapists (“the Board”) notified **GABRIELA ROMO, LCPC** (the “Respondent”) of the Board’s intent to revoke her license to practice as a Licensed Clinical Professional Counselor under the Maryland Professional Counselors and Therapists Act, codified at Md. Code Ann., Hlth. Occ. §§ 17-101 *et seq.* (2014 Repl. Vol. and 2019 Supp.).

Specifically, the Board based its intent to revoke on the following provisions of the Act:

Hlth. Occ. § 17-509:

§ 17-509. Denial, suspension or revocation of license.

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:

....

(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 counselor or therapy[.]

The relevant provisions of the code of ethics and regulations adopted by the Board provide:

COMAR 10.58.03.04 Ethical Responsibility:

A. A counselor shall:

...

(11) Be familiar with and adhere to this chapter;

B. A counselor may not:

...

(2) Participate in dishonest, fraudulent, or deceitful activity in the capacity of a counselor[.]

COMAR 10.58.03.07.

A. Advertising

...

(3) A counselor may not place advertisements or make public statements that:

(a) Contain false, fraudulent, misleading, deceptive, or unfair statements or information;

...

(d) Misrepresent, either directly or by implication, a counselor's professional qualifications such as education, experience, or areas of competence;

...

(f) Contain representations or implications that in reasonable probability can be expected to cause an ordinary prudent person to misunderstand or be deceived[.]

In its Notice, the Board informed the Respondent of her right to an evidentiary hearing on the charges. On July 13, 2022, through counsel, Respondent filed a formal request for hearing with the Board.

On December 7, 2022, the Board served Respondent with a Notice of Administrative Hearing, which informed the Respondent that a virtual hearing had been scheduled in this matter for Friday, March 17, 2023, at 12:30 PM via Google Meet.

On March 17, 2023, a quorum of the Board was present via Google Meet and the evidentiary hearing was held. Kelly Cooper, Administrative Prosecutor, was present and presented the case on behalf of the State of Maryland. The Respondent was present and was represented by counsel. The matter was unable to conclude in the scheduled amount of time, and the matter was continued and concluded via virtual hearing on May 19, 2023. All the Board members who had previously appeared at the first hearing were present for the May 19, 2023 virtual hearing.

**Joint Evidentiary Exhibits and Witnesses:<sup>1</sup>**

1. Report of Investigation, Case Nos. 2020-100 and 2021-081, dated May 2, 2022
2. Respondent's Licensing Unit Information, retrieved May 3, 2022
3. Consent Order from Case No. 2020-100, dated October 16, 2020
4. Order of Reinstatement and Probation, dated February 23, 2021
5. Report of Investigation, Case No. 2021-081, dated January 13, 2021
6. Complaint, Case No. 2021-081, received March 11, 2021
7. Screenshots of Respondent's Business Facebook page, captured January 7, 2022
8. Print out of Respondent's website
9. Written Report from Respondent's Supervisor, dated August 1, 2021
10. Written Report from Respondent's Supervisor, dated March 1, 2022
11. Print out of Respondent's website, captured May 3, 2022

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<sup>1</sup> The listed exhibits were initially pre-marked as State's Exhibits; however, via oral motion on the record, parties agreed to label the exhibits as Joint Exhibits for procedural purposes.

12. Notice of Intent to Revoke Respondent's License, dated June 21, 2022
13. Respondent's Notice of Representation, dated July 13, 2022
14. Respondent's Request for Hearing, dated July 13, 2022
15. Notice of Hearing, dated December 7, 2022

**State's Witness:**

Board Compliance Manager/Investigation Supervisor Shelly-Ann Barnes

**Respondent's Witness**

Respondent, Gabriela Romo, LCPC

**II. FINDINGS OF FACT**

The Board made the following findings of fact based upon the entirety of the record:

**BACKGROUND**

1. At all times relevant, Respondent was authorized to practice clinical professional counseling in the State of Maryland. The Respondent was originally certified to practice as an LCPC in the State of Maryland on December 11, 2015, under License Number LC6800. The Respondent's license is currently on probation with an expiration date of January 31, 2025.
2. On October 16, 2020, under case number 2020-100, the Board and the Respondent entered into a Consent Order.
  - a. The Consent Order included the following relevant Findings of Fact:
    - i. The Respondent owned and operated her own independent practice in Montgomery County, Maryland ("the Practice"). According to the website for the Practice, the services offered included clinical supervision, immigration assessment, and psychological therapy.

- ii. The Practice's website revealed the Respondent refers to herself as "La Psicologa de la Comunidad Hispana," which translates as "The Psychologist of the Hispanic Community." The Respondent's website also states that she offers a "Migration Assessment" consisting of a "psychological evaluation for your immigration case of U-visa, T visa, cancellation of deportation, forgiveness (hardship waiver), VAWA and asylum."
  - iii. A review of three N-648 forms completed by the Respondent and subsequently submitted to USCIS revealed that the Respondent signed and certified under penalties of perjury that she was currently licensed as a "Clinical Psychologist" in the United States.<sup>2</sup>
  - iv. When asked to translate her official website, Respondent stated that "It says psychotherapy treatment basically...And then it says I do psychological evaluations for your immigration case, U visa, T visa, cancellation of removal, hardship waiver, VAWA, and asylum."
  - v. When specifically asked to translate "psicologa," the Respondent stated that "it could be psychotherapy, psychologist [or] mental health counselor." Respondent also stated that she believed that "LCPC" is "more just like the broad term of psychologist."
- b. The Consent Order concluded that Respondent violated the Social Work Practice Act and the Social Work Code of Ethics by:

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<sup>2</sup> The N-648 form contains instructions that state "Only medical doctors, doctors of osteopathy, or clinical psychologists licensed to practice in the United States ...are authorized to certify the form."

- i. Fraudulently misrepresenting herself as a “Clinical Psychologist” on N-648 Forms;
  - ii. Falsely representing herself and practicing outside the scope of an LCPC by offering and representing in reports provided to clients to USCIS and advertising that she conducts advanced assessments and/or psychological evaluations without the requisite qualifications and/or only including client interviews and self-report tests in the reports she was purporting to be psychological evaluations.
- c. Pursuant to the Consent Order, the Board suspended Respondent’s LCPC license for one (1) year with nine (9) months stayed, with no option to petition for early termination of suspension.
- d. Upon termination of the suspension, the Consent Order also included the following relevant probationary terms for probationary term of a minimum of three (3) years:
- i. Respondent was to pay a fine in the amount of one thousand and five hundred dollars (\$1,500.00) to the Board;
  - ii. Respondent shall work with a certified healthcare translator to review, develop, and update any and all pre-existing client forms, documentation, and advertising materials that the Respondent currently uses of that the Respondent plans to use in her practice, including but not limited to, the Respondent’s website and any materials provided to clients and/or prospective clients;

- iii. The Respondent shall enroll in and successfully complete an ethics course, approved in advance by the Board;
  - iv. No part of the training or education that the Respondent receives in order to comply with the Consent Order may be applied to her continuing education credits required for certification/licensure;
  - v. The Respondent shall obtain a Board-approved Supervisor at her own expense. Respondent's Supervisor shall review any and all client forms, documentation, and advertising materials the Respondent developed with the certified translator, including but not limited to the advertising materials Respondent currently uses or plans to use in her practice, the Respondent's website, and any materials provided to clients and/or prospective clients. The Supervisor shall submit written reports to the Board every six (6) months for the entire duration of the probation period detailing the supervision provided and evaluating the Respondent's practice and the Respondent's advertising materials. Respondent shall have sole responsibility for ensuring that the Supervisor submits the required reports to the Board in a timely manner.
3. After completing the 90-day suspension, Respondent formally petitioned the Board to lift the suspension. On February 23, 2021, the Board issued an Order that lifted Respondent's suspension, reinstated her license to practice as an LCPC in the State of Maryland, and placed Respondent's license on probation for three years, subject to the probationary terms and conditions contained in the October 16, 2020 Consent Order.

### **ALLEGED VIOLATION OF THE CONSENT ORDER**

**A. Board Investigation**

1. On or about March 11, 2021, the Board received a complaint alleging that the Respondent “continues to advertise herself as the psicologa de la comunidad hispana.”
2. As a result of the complaint, the Board initiated an investigation of the Respondent under Case Number 2021-081.
3. As part of its investigation, the Board investigator conducted a thorough review of Respondent’s website, Respondent’s social media presence, and any information that was placed in the public domain regarding the Respondent and her practice, including screenshots of Respondent’s Facebook pages and business website. The Board’s investigation revealed the following information:
  - a. Respondent’s Social Media Presence
    - i. On January 7, 2022, the Board investigator accessed the Respondent’s business Facebook page and personal Facebook page and obtained screenshots. The Respondent’s business Facebook page still utilized a profile picture of the Respondent, with the caption “Gabriela Romo La Psicóloga de la Comunidad Hispana.” The description of Respondent’s business was listed as “Mental Health Service – Psychotherapist.” On January 4, 2021, the Respondent posted a link to her radio program that contained a thumbnail of Respondent’s photograph with the caption “Gabriela Romo La Psicóloga de la Comunidad Hispana.” The business page also linked to Respondent’s website, <http://www.gabrielaromo.com>. However, the business Facebook page



did not contain Respondent's credential information or license number.

ii. From June to December 2021, Respondent posted five (5) links to her radio program on her personal Facebook page. The links all contained a thumbnail with Respondent's photograph and the caption "Gabriela Romo La Psicóloga de la Comunidad Hispana."

Respondent's contact information on her personal Facebook page also linked to the website <http://www.gabrielaromo.com>, but did not include Respondent's credential information or license number.

b. Respondent's Business Website

i. A review of the Respondent's business website revealed that Respondent did not utilize the phrase "La Psicóloga de la Comunidad Hispana" to describe her professional practice..

ii. The Respondent utilized the phrase "La Experta en Salud Mental y Inmigracion de la Comunidad Hispana" and listed her credential information and license number.

c. Third Party Website

i. On May 3, 2022, the Board investigator accessed the Radio America website for Respondent's radio show. The show description on the Radio America website utilized the same thumbnail as the links on Respondent's Facebook page, which consisted of a photograph of the Respondent and the caption "Gabriela Romo La Psicóloga de la Comunidad Hispana."

- ii. However, the written description of the radio show utilized the phrase “la Experta en Salud Mental Gabriela Romo.”

**B. Respondent’s Efforts to Comply with the Consent Order**

1. Respondent removed the Spanish language version of her website and deactivated her social media accounts in response to the complaint.
2. Respondent stated that she considered probation to be “an ongoing process....to keep it fresh and review it in case there’s anything missed—overlooked” and that she believed she had the entire probationary period to “continue reviewing and to continue making changes if there was something wrong.”
3. Respondent was aware of all of the terms of the October 2020 Consent Order, including the requirement that “Respondent shall, at all times comply with the Act and all applicable laws, statutes, and regulations.” She reviewed all the terms of the Consent Order with her Supervisor and worked with a Certified Health Translator to Respondent also testified that she reviewed all the terms of the Consent Order with her Supervisor and worked with a Certified Health Translator “to review [Respondent’s] materials and to make the appropriate changes.”
4. Less than one month after signing the Consent Order, the Respondent altered the language on her business website to eliminate the term “Psicóloga.”
  - d. Respondent met with the Certified Translator. Respondent’s Supervisor “went through [the Respondent’s] materials, including the website...documents, to the client forms, to the advertising materials...anything [the Respondent] had out there.”

- e. After consulting with her Supervisor, the Certified Translator, and legal counsel, Respondent updated her professional website to eliminate the term “Psicóloga” and replace it with the phrase “La Experta en Salud Mental.”<sup>3</sup>
5. Respondent appears on a radio show once a week for a half hour to host a Spanish-speaking program and provide information on mental health awareness.
  - a. Respondent told the radio station to remove any advertising material that referred to Respondent as “Psicologa.” Respondent stated she had no control over what the radio station used for advertising purposes.
  - b. Respondent’s radio show was focused on raising awareness for, and providing support to, the local Spanish-speaking immigrant population.
  - c. Respondent’s radio show is the only Spanish-Speaking radio show that she knew of in the area that focused on mental health.
6. Respondent also employed a Social Media Intern in response to the terms of the October 2020 Consent Order.
  - a. The Social Media Intern’s job was to “to clean up, to delete things that were inaccurate, to post things that had to do with, you know, any services or anything like that.”
  - b. The Social Media Intern continued to post multiple thumbnails from the Respondent’s radio show that utilized the label “La Psicóloga de la Comunidad Hispana,” utilized a profile picture of the Respondent with the text “La Psicóloga de la Comunidad Hispana,” and kept the description “Mental Health Service – Psychotherapist” in the description section of Respondent’s business Facebook profile.

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<sup>3</sup> Translated into English, this phrase means “The Expert on Mental Health.”

- c. Respondent has no intention to re-activate her social media accounts.
  7. Respondent altered her business website to read “Gabriela Roma, La Experta en Salud Mental y Imigracion de la Comunidad Hispana,” which translates to “The expert on Mental Health and Immigration of the Hispanic Community.” Respondent believes she is an expert in immigration because she was complaint with “all the requirements to continue having [her] license” as an LCPC.
    - a. At trial, Respondent conflated being asked by immigration attorneys to “evaluate their clients” for immigration cases with testifying as an expert in immigration for purposes of deportation cases, and stated “nobody has complained about my mental health services.”
    - b. Respondent believes that the October 16, 2020 Consent Order stemmed from a complaint about filling out a specific form. Respondent does not believe the complaint stemmed from the evaluations she conducted, her evaluation techniques, or whether she utilized the appropriate evaluation instruments.
    - c. The forms referenced by the October 16, 2020 Consent Order specifically authorized “only medical doctors, doctors of osteopathy, or clinical psychologists licensed in the United States” to complete the evaluations required by the form.
  8. Respondent denies causing any harm to her clients or to the public by utilizing the term “psicóloga.” Rather, Respondent believes she only harmed herself by misrepresenting her credentials.
    - a. The only client harm that the Respondent identified was “having to go through a process for that piece of paper again,” referring to the mental health evaluations necessary for the forms which Respondent filled out.
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- b. As soon as Respondent learned she was not authorized to fill out the N-648 immigration form, she “contacted all of [the affected clients]” and told them “Don’t even, like, go to your interview. Like, don’t want you to go through that rejection.”
- c. Respondent was unable to refer her clients to another provider because she did not “personal know” any other Spanish-speaking mental health professionals. Rather, Respondent instructed her clients to “go to people who have these, you know, credentials...do your research.”

### **III. DISCUSSION**

This matter is before the Board based on the allegations that the Respondent is in violation of the October 16, 2020 Consent Order by continuing to represent herself as an expert in psychology. Of specific concern is whether, pursuant to Md. Code Ann., Hlth. Occ. § 17-509 and COMAR 10.58.03 *et seq.*, the Respondent violated the Code of Ethics and misrepresented her professional qualifications and/or areas of competence by implication, or directly to the public, by using false, fraudulent, misleading, deceptive, or unfair statements on the Respondent’s personal and business Facebook pages and her “one of a kind” radio show that in reasonable probability may have led members of the public to misunderstand or be deceived about the Respondent’s professional education, experience, or competence.

The Board finds that the Respondent’s social media presence, specifically her personal and business Facebook pages which utilized her radio show advertisements, all continued to violate the Code of Ethics, and as a result, the October 16, 2020 Consent Order. The Board’s investigation showed that the Respondent’s business Facebook page continued to utilize a profile picture of the Respondent with Respondent’s name and the caption “La Psicóloga de la

Comunidad Hispana,” with the word “Psicóloga” emphasized with a different colored font. Respondent’s business Facebook page also utilized the description “Mental Health Service – Psychotherapist” and linked multiple times to the Respondent’s radio show, with a thumbnail that contained Respondent’s photograph, name, and the caption “La Psicóloga de la Comunidad Hispana.” The Respondent’s personal Facebook page also posted the same link and thumbnail, multiple times, to advertise the Respondent’s radio show. The official website for Respondent’s radio show also uses the same thumbnail image with Respondent’s photograph, Respondent’s name, and the caption “La Psicóloga de la Comunidad Hispana” and invites listeners to call in to Respondent’s show, referring to the Respondent as “La Experta en Salud Mental Gabriela Romo.”

Thus, there is substantial evidence that the Respondent’s public facing social media pages and radio talk show advertisements violate the law governing licensed clinical professional counselors in Maryland.

Of greater concern to the Board is that the Respondent disavowed any personal responsibility for any fraudulent and inaccurate representations of her professional competency contained in her social media pages and radio show advertisements.

Respondent offered several excuses for the repeated, glaring misrepresentations including: 1) believing that she has the entire three-year duration of the probationary period to correct the misrepresentations of her professional competency; 2) blaming her Social Media Intern for failing to remove inaccurate and misleading information from her personal and business Facebook pages; and 3) blaming the radio station for not listening to her when she told the station to remove any misleading content from her show’s advertising material. In light of the

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full context of the October 16, 2020 Consent Order and the Code of Ethics, the Board finds the Respondent's arguments unpersuasive and without merit.

First, Respondent stated that the probationary conditions of the October 16, 2020 Consent Order had "no deadline" and that she considered the probationary terms to be an "ongoing process...to keep it fresh and review it in case there's anything missed—overlooked." However, the Respondent's interpretation of the October 16, 2020 Consent Order disregards the full context and language of the probationary terms. The Consent Order's requirements include "The Respondent shall, *at all times*, comply with the Act and all applicable laws, statutes, and regulations." (emphasis added). The October 16, 2020 Consent Order also contains specific provisions that explain the procedure for any alleged violations of the terms of the Consent Order. In particular, Respondent's alleged violations are also violations of the Code of Ethics contained in COMAR 10.58.03.01 *et seq.* Violations of the Code of Ethics are statutory grounds for the denial, suspension, or revocation of a license. (*See Md. Code Ann., Hlth. Occ. § 17-509*).

Second, the Respondent asks the Board not hold her responsible for ensuring that her social media pages were in compliance with the law, and accept the Respondent's lack of oversight and appropriate supervision. Respondent stated that her Social Media Intern "...was doing a good job, honestly, and so I did not find any reason to go back and go into detail of what he was doing." Respondent then went on to describe her Social Media Intern as "very proactive actually." The only explanation the Respondent gave for the violations of the Practice Act and Code of Ethics were that she "overlooked" his failure to comply with the terms of the October 16, 2020 Consent Order and the Practice Act.

The Board finds no merit in Respondent's arguments regarding her Social Media Intern's responsibilities. The Board is further troubled by the Respondent's characterization of her

violations of the Consent Order and the Practice Act as merely “overlooking” her Social Media Intern’s errors. Under COMAR 10.58.03.07(B)(1), “a counselor shall...correct others who misrepresent a counselor’s professional qualifications or affiliations.” Additionally, the October 16, 2020 Consent Order states that “[t]he Respondent shall work with a certified health care translator to review, develop, and update any and all pre-existing client forms, documentation, and advertising materials that the Respondent currently uses or that the Respondent plans to use in her practice, including but not limited to, the Respondent’s website and any materials provided to clients and/or prospective clients.”

Third, while the Board agrees that the Respondent does not control the advertising practices of the radio station that hosts her show, COMAR 10.58.03.07(C) states that “a counselor providing commentary or advice in a public lecture, presentation, demonstration, radio or television program, prerecorded electronic medium, printed article, mailed material, internet, or other medium *shall ensure that ...*(3) Statements are in conformance with this chapter.” (emphasis added). Moreover, the October 16, 2020 Consent Order’s probationary terms include the requirement that Respondent’s Supervisor shall review “*any and all* client forms, documentation, and advertising materials.” (emphasis added). The Code of Ethics requires more than merely “raising the issue” of misleading and/or inaccurate advertisements. As a LCPC, the Respondent has a duty to “ensure” that any advertisements concerning her professional competence and qualifications comply with the law. The Respondent’s failure to follow up with the radio station regarding the thumbnail and links constitutes failure to adhere to the Respondent’s legal obligations to ensure that the information in her advertisements are in compliance with the Code of Ethics and the Practice Act.

### **Aggravating and Mitigating Factors For Purposes of Sanctions**



## 1. Mitigating Factors

The mitigating and aggravating factors that the Board may consider in determining appropriate sanctions are set forth in COMAR 10.58.09.05. Of the nine factors listed, the Board finds that while the Respondent implemented some remedial measures to correct or mitigate the harm arising from her misconduct,<sup>4</sup> the Respondent did not ensure that said corrections were made in a timely manner or in compliance with the October 16, 2020 Consent Order. Additionally, while the Respondent's actions were not premeditated,<sup>5</sup> the October 16 2020 Consent Order put the Respondent on notice of her violations of the advertising and media representation regulations contained in the Code of Ethics. Moreover, Respondent's violations of the Practice Act and the terms of the October 16, 2020 Consent Order were not an "isolated incident";<sup>6</sup> rather, Respondent made repeated, consistent violations of the October 2020 Consent Order and the relevant COMAR provisions regarding advertising and media representations.

## 2. Aggravating Factors

In determining the appropriate sanctions, the Board considered the following aggravating factors to apply:

### **COMAR 10.58.09.05. Mitigating and Aggravating Factors.**

F. Aggravating factors may include, but are not limited to, the following:

(1). **The offender had a previous criminal or administrative history** – The Respondent's previous, similar behavior resulted in the October 2020 Consent Order.

(2). **The violation was committed deliberately or with gross negligence or recklessness** – By the Respondent's own admissions, she repeatedly overlooked and failed to supervise her Social Media Intern.

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<sup>4</sup> COMAR 10.58.09.05(D)(4)

<sup>5</sup> COMAR 10.58.09.05(D)(7)

<sup>6</sup> COMAR 10.58.09.05(D)(9).

(3). **The violation had the potential for, or caused, serious patient or public harm** – The October 2020 Consent Order outlines the legal repercussions of Respondent’s actions for many of her immigrant clients, as Respondent’s lack of appropriate credentials rendered her evaluations invalid for purposes of immigration documentation. Furthermore, Respondent’s misleading advertising had the potential of further harm to the public and her clients.

(4). **The violation was part of a pattern of detrimental conduct** – Respondent’s violations were of the same nature and at times, repeated conduct of the specific violations which were addressed in the October 2020 Consent Order.

(5) **The offender was motivated to perform the violation for financial gain** –The Board finds that Respondent’s misrepresentation of credentials and expertise were in the form of advertisements to potential clients and thus, were financially motivated.

(6). **The vulnerability of the clients** – The Board finds that by the Respondent’s own admission, her client base is particularly vulnerable, due to the fact that Respondent’s advertisements were targeted towards a non-English speaking populace, particularly those members of the Hispanic community who require specific documentation for purposes of immigration.

(7). **The offender lacked insight into the wrongfulness of the conduct** – The Board finds that Respondent’s statement that “nobody got any negative consequences other than having to go through a process for that piece of paper again” does not indicate that Respondent properly understood the impact of her actions. Additionally, the Board finds that Respondent’s belief that the October 16, 2020 Consent Order had “no deadline” and that Respondent would be permitted to “keep it fresh and review if there’s anything missed” demonstrates Respondent’s lack of remorse or understanding of the gravity of her violations.

(11) **Previous attempts at rehabilitation of the offender were unsuccessful** – Respondent herself admitted that her social media pages and website were inaccurate and reflected the same advertising violations of the regulations that were previously committed and documented in the October 2020 Consent Order.

#### **IV. CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, which are supported by substantial evidence in the record, the Board concludes as a matter of law that the Respondent's conduct as described above constitutes violations of the Act and a basis on which to discipline the Respondent's license to practice as a Licensed Professional Clinical Counselor. Specifically:

The Respondent's conduct, as set forth above, including fraudulently misrepresenting her credentials and violating the terms of her probation, constitutes a violation of: Health Occ. § 17-509(7) ("Makes a willful misrepresentation while counseling or providing therapy"); 17-509(8) ("Violates the code of ethics adopted by the Board"); 17-509(9) ("Knowingly violates any provision of this title"); 17-509(13) ("Violates any rule or regulation adopted by the Board"); 17-509(16) ("Commits an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy"), and COMAR 10.58.03.04(A)(11); COMAR 10.58.03.04(B)(2); COMAR 10.58.03.07(A)(3)(a); COMAR 10.58.03.07(A)(3)(d); and COMAR 10.58.03.07(A)(3)(f).

#### **V. ORDER**

Based on the foregoing, it is this 29th day of August, 2023, by a Majority of the Board hereby:

**ORDERED**, that the Respondent's license to practice as a Licensed Professional Clinical Counselor is here by **SUSPENDED**, for a minimum period of **TWO (2) YEARS, WITH ALL BUT SIX (6) MONTHS STAYED**, with an effective date of **THIRTY (30) DAYS** from the effective date of this order, so that Respondent may properly notify all her current clients and properly refer them for appropriate services; and it is further

**ORDERED**, that at the conclusion of the minimum period of suspension, Respondent is to petition the Board in writing to lift the Suspension on her license, and must present to the Board, at a formal hearing, evidence of her rehabilitation and her understanding of the harm caused by her misrepresentations, as well as copies of Respondent's client forms, documentation, and advertising materials that Respondent plans to utilize and/or provide to prospective clients; as well as screenshots of updated social media pages, thumbnails and radio advertisements displaying compliance with the pertinent provisions of Hlth. Occ. § 17-509 and COMAR 10.58.03; and it is further

**ORDERED**, that Respondent shall participate in, and complete, a **THREE (3) CREDIT**, Board pre-approved, in-person or live-webinar course on ethics, and submit written documentation of her completion of said course within **SIX (6) MONTHS of the EFFECTIVE DATE** of this Final Order; and it is further

**ORDERED**, that no part of the training or education that the Respondent receives in order to comply with the terms of this Final Order may be applied to her continuing education credits required for certification, renewal, and/or licensure;

**ORDERED**, that Respondent shall to pay a monetary fine to the Board in the amount of **FIFTEEN HUNDRED DOLLARS (\$1,500.00)**, to be paid in completion by the end of Respondent's minimum period of Suspension; and it is further

**ORDERED**, that as of the effective date of this Consent Order, Respondent is solely responsible for ensuring that all of her advertising, documents presented to clients and potential clients, and advertising and public representations regarding her qualifications made by herself and by third parties are accurate and in compliance with the Practice Act; and it is further

**ORDERED**, that should Respondent's license be reinstated, Respondent's license shall be placed on **IMMEDIATE PROBATION** for an **ADDITIONAL THREE YEARS, for a TOTAL OF FIVE (5) YEARS**, under the following probationary conditions:

1. That Respondent shall continue to work with a certified healthcare translator to review, develop and update any and all pre-existing client forms, documentation, and advertising materials that the Respondent currently uses or plans to use in her practice, including but not limited to the Respondent's website, Respondent's third party advertisements, and any and all material provided to clients and/or prospective clients;
2. That the Respondent shall obtain a Board pre-approved supervisor at her own expense;
3. That prior to signing a supervision contract with any Board-approved supervisor, the Respondent shall present a complete copy of this Final Order to the prospective supervisor, and provide written documentation of this submission to the Board;
4. That the Respondent shall authorize the Board to provide the Supervisor with copies of this Final Order and all other relevant documents in the investigative file, including the Investigative Report and its attachments;

5. That Respondent's Supervisor shall review and continue to review any and all client forms, documentation, and advertising materials that the Respondent developed with the certified translator, including but not limited to the advertising materials the Respondent currently uses or plans to use in her practice, the Respondent's website, any third-party advertisers utilized by the Respondent, and any and all material provided to clients and/or prospective clients;
6. That Respondent's Supervisor shall submit **MONTHLY WRITTEN REPORTS** to the Board for the entire duration of the Probationary Period, detailing the supervision provided and evaluating the Respondent's practice and the Respondent's advertising materials;
7. That the Respondent shall have the sole responsibility for ensuring that the Respondent's Supervisor submits the required reports to the Board in a timely manner;
8. That a negative report from Respondent's Supervisor or any failure to comply with the Supervisor's recommendations shall be deemed a violation of probation and/or of this Final Order;
9. That in the event that the Respondent's Supervisor discontinues the supervision of Respondent's practice for any reason during the probationary period, the Respondent shall immediately notify the Board. The Respondent shall be solely responsible for submitting a request for a Board-approved replacement;

10. That the Respondent shall, at all times, comply with the Act and all applicable laws, statutes, and regulations;
11. That the Respondent shall, at all times, cooperate with the Board, any of its agents or employees, and with the Board-assigned investigator, in the monitoring, supervision, and investigation of the Respondent's compliance with the terms and conditions of this Final Order;
12. That after conclusion of the probationary period, the Respondent may submit a written petition to the Board for termination of probation. After consideration of the petition, the probation may be terminated through an Order of the Board. The Board, at its discretion, may grant termination if the Respondent has fully and satisfactorily complied with all the terms and conditions of this Final Order, there are no pending investigations or complaints against the Respondent, Respondent's Supervisor recommends termination of probation, and the Board deems termination of probation appropriate;
13. That if the Respondent fails to make any such petition, then the probationary status may continue indefinitely, subject to the conditions set forth in this Final Order;
14. That if the Board determines that the terms or conditions of this Order have not been successfully completed, the Board may modify the terms and conditions of Respondent's probation, upon notice to the Respondent;

15. That if the Respondent allegedly fails to comply with any term or condition of the Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If, in its sole discretion, the Board determines that there is a genuine dispute as to a material fact, the hearing shall be an evidentiary hearing before the Board. If there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before the Board;
16. That after the appropriate hearing, if the Board determines that the Respondent has failed to comply with any term or condition of this Final Order, the Board may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend or revoke the Respondent's license to practice as a clinical professional counselor in the State of Maryland. The Board may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon the Respondent; and it is further

**ORDERED**, that the Respondent shall be responsible for all costs incurred under the terms and conditions of this Final Order; and it is further

**ORDERED**, that the effective date of this Final Order is the date that it is signed by the Board; and it is further

**ORDERED**, that this is a final Order and as such is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 – 4-601(2014).

**NOTICE OF RIGHT TO APPEAL**



Gabriela Romo, LCPC, License No. LC6800  
Final Order


Pursuant to Md Code Ann., Health Occ. § 17-512(b), the Respondent has the right to take a direct judicial appeal. Any appeal shall be filed within thirty (30) days from the date of this Final Order and shall be made as provided for judicial review of a final decision in the Maryland Administrative Procedure Act, Md. Code Ann., State Gov't § 10-222; and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If the Respondent files an appeal, the Board is a party and should be served with the court's process at the following address:

Mary N. Drotleff, LCMFT, Acting Executive Director  
Maryland State Board of Professional Counselors and Therapists  
4201 Patterson Avenue  
Baltimore, MD 21215-2299  
Phone: 410-764-4732  
Fax: 410-358-1610

At that point, the Administrative Prosecutor is no longer a party to this case and need not be served or copied.

08/29/2023  
Date

  
Mary N Drotleff, LCMFT  
Acting Executive Director  
Maryland State Board of  
Professional Counselors and Therapists