

**April L. Jarboe**  
**Trainee Number: ADT1739**  
**\_\_\_\_\_ , 2022**

BOARD OF PROFESSIONAL  
APR 12 2022  
COUNSELORS & THERAPISTS

Mary Nicki Drotleff, LCMFT, Board Chair  
Maryland State Board of Professional Counselors & Therapists  
4201 Patterson Avenue  
Baltimore, Maryland 21215

RE: Surrender of Alcohol and Drug Trainee Approval Status  
Trainee Number: ADT1739  
Case Number: 2020-042

Dear Ms. Drotleff And Members of the Board:

I, **April L. Jarboe**, have decided to **SURRENDER** my trainee approval status to practice alcohol and drug counseling under an approved alcohol and drug supervisor in the State of Maryland, **Trainee Number ADT1739**, effective immediately. I understand that upon the surrender of my trainee approval status, I may not practice alcohol and drug counseling in the State of Maryland as it is defined in the Maryland Professional Counselors and Therapists Act (the "Act"), Md. Code Ann., Health Occ. §§ 17-101 *et seq.* (2021 Repl. Vol.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my trainee approval status means that I am in the same position as an unapproved individual in the State of Maryland.

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT** and, upon the Board's acceptance, becomes a **FINAL ORDER** of the Maryland Board of Professional Counselors and Therapists (the "Board").

I acknowledge that the Board initiated an investigation into my practice based on a complaint alleging that I was in a romantic relationship with a former client ("Client"). The Client and I both admitted to the Board Investigator that we are engaged in consensual, personal, and sexual relationship and that we live together.

On February 1, 2022, the Board issued a Notice of Intent to Rescind Alcohol and Drug Trainee Approval Status (the "Notice") against me under Health Occ. § 17-509(a) (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); and the following provisions of the Code of Ethics adopted by the Board, codified at Md. Code Regs. ("COMAR")10.58.03.04(A)(11) (a



counselor shall be familiar with and adhere to this chapter), (A)(14) (a counselor shall take reasonable precautions to protect clients from physical or psychological trauma); COMAR 10.58.03.05 (A)(2)(a) (a counselor may not place or participate in placing clients in positions that may result in damaging the interests and the welfare of clients, employees, employers, or the public); COMAR 10.58.03.09 (C)(1) (Except as set forth in §C(3)<sup>[1]</sup> of this regulation, a counselor may not engage in sexual behavior with a former client); and, COMAR 10.58.03.09(C)(2) (A counselor may not terminate professional services or a professional relationship with a client in order to enter into a nonprofessional, social, or sexual relationship with a client or an individual with whom a client has a close personal relationship.) My Alcohol and Drug Trainee Approval Status provides that authorized trainees who violate the Maryland Professionals Counselors and Therapist Code of Ethics may not receive further consideration for certification or licensure. Specifically, the Board alleged that I am in a romantic and sexual relationship with a former client. A copy of this Notice is attached to this Letter of Surrender as Attachment 1.

I wish to make it clear that I have voluntarily, knowingly, and freely chose to submit this Letter of Surrender to avoid any further investigation and prosecution of the allegations set forth in the Notice. I agree that if the Board were to proceed with an evidentiary hearing in this matter, the State would be able to prove the foregoing violations of the Act by preponderance of the evidence. I acknowledge that for all purposes relevant to licensure, certification, and/or trainee approval status, the charges will be treated as if proven.

I understand that by executing this Letter of Surrender, I am waiving my right to a hearing to contest the disciplinary charges. In waiving my right to contest the charges, I am also waiving the right to be represented by counsel at the hearing, to confront witnesses, to give testimony, to call witnesses on my own behalf, and all other substantive and procedural protections provided by law, including the right to appeal to circuit court.

I understand that the Board will release this Letter of Surrender to any appropriate databases required by law. I also understand that in the event I would apply for licensure in any form in any other state or jurisdiction that this Letter of Surrender may be release or published by the Board to the same extent as a final order that would result from disciplinary action pursuant to Md. Code Ann. Gen. Prov. 4-101 et. Seq. (2021), and that this Letter of Surrender constitutes a disciplinary action by the Board.

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<sup>1</sup> COMAR 10.58.03.09(C)(3) provides “[a] counselor may enter into a relationship with an individual with whom a counselor's prior professional contact was brief, peripheral, consultative, or indirect, and did not constitute a therapeutic relationship.”



April L. Jarboe  
Trainee Number: ADT1739  
Case No.: 2020-042

I further recognize and agree that by submitting this Letter of Surrender, my trainee approval status will remain surrendered unless and until I petition the Board for authorization to make a new application for trainee approval status, which the Board has full discretion to grant or deny. Should the Board grant me the opportunity to apply for trainee approval status, I understand that the Board will review my application in accordance with the Act, and that the Board may consider my entire Board file in determining whether to issue trainee approval status. Should the Board approve my application for trainee approval status, I may not receive further consideration for certification or licensure by the Board.

I hereby affirm that I have terminated any employment as an alcohol and drug counselor in the State of Maryland.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have been advised of my right to be represented by an attorney of my choice throughout proceedings before the Board, including my right to consult with an attorney prior to signing this Letter of Surrender. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms, and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,

  
April L. Jarboe

April L. Jarboe  
Trainee Number: ADT1739  
Case No.: 2020-042

**NOTARY**

STATE OF Maryland

COUNTY OF Washington

I HEREBY CERTIFY that on this 11 day of April 2<sup>nd</sup>, 2022, before me, a Notary Public of the State and County aforesaid, personally appeared **APRIL L. JARBOE**, and gave oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

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

Rhonda Estes  
Notary Public

My Commission Expires: June 18, 2024


**RHONDA ESTES**  
Notary Public  
Washington County, MD  
My Commission Expires: JUNE 18, 2024



April L. Jarboe  
Trainee Number: ADT1739  
Case No.: 2020-042

**ACCEPTANCE**

On this 15th day of April 2022, I, Mary Nicki Drotleff, LCMFT, Board Chair, on behalf of the Board, accept the **PUBLIC VOLUNTARY SURRENDER** of the alcohol and drug trainee approval status of **April L. Jarboe**, ADT to practice alcohol and drug counseling under an approved alcohol and drug supervisor in the State of Maryland.

  
Mary Nicki Drotleff, LCMFT,  
Board Chair  
Maryland State Board of Professional  
Counselors and Therapists

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE MARYLAND STATE</b>
<b>APRIL L. JARBOE, ADT</b>	*	<b>BOARD OF PROFESSIONAL</b>
<b>Respondent</b>	*	<b>COUNSELORS AND THERAPISTS</b>
<b>Trainee Status No.: ADT1739</b>	*	<b>Case Number: 2020-042</b>

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**NOTICE OF INTENT TO RESCIND ALCOHOL AND DRUG TRAINEE APPROVAL STATUS**

The Maryland State Board of Professional Counselors and Therapists (the “Board”) hereby notifies **APRIL L. JARBOE** (the “Respondent”), of the Board’s intent to rescind her Alcohol and Drug Trainee Approval Status in the State of Maryland, Trainee Status Number ADT1739, under the Maryland Professional Counselors and Therapists Act (the “Act”), codified at Md. Code Ann., Health Occ. §§ 17-101 *et seq.* (2021 Repl. Vol.).

Specifically, the Board bases its action on the Respondent’s violation of the following provisions of the Act:

§ 17-509. Denial, probation, suspension or revocation of trainee status, license, or certificate.

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 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:

- (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[.]

Pursuant to Health Occ. § 17-509 (8) and (13), shown above, the Board also bases its action on the following provisions of the Code of Ethics adopted by the board, codified at Md. Code Regs. (“COMAR”) 10.58.03 *et seq.*, in particular:

COMAR 10.58.03.04

A. A counselor shall:

....

- (11) Be familiar with and adhere to this chapter;
- (14) Take reasonable precautions to protect clients from physical or psychological trauma.

COMAR 10.58.03.05

A. Client Welfare and Rights.

....

- (2) A counselor may not:
  - (a) Place or participate in placing clients in positions that may result in damaging the interests and the welfare of clients, employees, employers, or the public;

COMAR 10.58.03.09

C. Relationship with Former Clients:

- (1) Except as set forth in §C(3)<sup>[1]</sup> of this regulation, a counselor may not engage in sexual behavior with a former client;

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<sup>1</sup> COMAR 10.58.03.09(C)(3) provides “[a] counselor may enter into a relationship with an individual with whom a counselor's prior professional contact was brief, peripheral, consultative, or indirect, and did not constitute a therapeutic relationship.”

- (2) A counselor may not terminate professional services or a professional relationship with a client in order to enter into a nonprofessional, social, or sexual relationship with a client or an individual with whom a client has a close personal relationship.

### ALLEGATIONS OF FACT<sup>2</sup>

The Board bases its intent to rescind on the following facts that the Board has reason to believe are true:

#### **I. BACKGROUND**

1. At all times relevant hereto, the Respondent held an active approval status to practice as an alcohol and drug trainee in the State of Maryland under an approved alcohol and drug supervisor (the "ADT Status"). The Respondent was originally issued the ADT Status on or about June 7, 2018, under Trainee Number ADT1739. The Respondent's ADT Status is currently active and is scheduled to expire on June 30, 2022.

#### **II. COMPLAINT**

2. On or about November 25, 2019, the Board received a complaint filed by a former co-worker of the Respondent's (the "Complainant")<sup>3</sup> at a substance abuse treatment center (the "Center"). The complaint alleged the Respondent was engaged in a personal relationship with a client (the "Client") that was under the Respondent's care at the Center.

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<sup>2</sup> The allegations regarding the Respondent's conduct identified herein are intended to provide the Respondent with notice of the basis of the Board's action. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent.

<sup>3</sup> For confidentiality and privacy purposes, the names of individuals and facilities involved in this case are not disclosed in this document. The Respondent may obtain the names of all individuals and facilities referenced in this document by contacting the administrative prosecutor.



3. After receiving the Complainant's complaint, the Board initiated an investigation of the Respondent under Case Number 2020-042.

### **III. BOARD INVESTIGATION**

4. The Board Investigator interviewed the Complainant on March 19, 2020. The Complainant told the Board Investigator the following:

- a. The Respondent worked at the Center providing counseling to clients in the methadone program.
- b. After the Complainant had returned from vacation, she found out that the Respondent had abruptly resigned her employment at the Center for unknown reasons.
- c. After the Respondent had resigned from the Center, she saw posts on the Respondent's Facebook page in which the Respondent indicated she was in a relationship with the Client.

5. The Complainant provided the Board Investigator screenshots from both the Respondent's and the Client's Facebook pages from December 2018 through June 2019. Both the Respondent and the Client indicated on their Facebook pages that they were in a relationship with each other.

6. As part of its investigation, the Board subpoenaed records from the Center.

7. According to her personnel file, the Respondent began employment at the Center on or about May 21, 2018 and initially worked as a Case Manager. Upon receiving her ADT Status, the Respondent's job title changed to Alcohol & Drug Counselor ("Counselor"). As a Counselor, the Respondent's job duties included assessing and evaluating patients, developing treatment goals and plans, reviewing and recommending treatment options, conducting individual and group counseling sessions, and documenting

clients' progress. The Respondent resigned her position at the Center on or about September 29, 2018.

### **Client's Medical Records from the Center**

8. Medical records received from the Center indicate that the Client participated in the Center's methadone program beginning on or about June 25, 2018 and was discharged from the Program on November 20, 2018. The Client's medical records contained the following information:

- a. The Respondent completed and signed the SMART TAP Assessment as part of the Client's admission and intake process for the Center.
- b. The Respondent documented that she met with the Client and provided, on at least six (6) occasions, individual counseling sessions<sup>4</sup> on June 26, 2018; August 13, 2018; August 30, 2018; September 11, 2018; September 18, 2018; and September 25, 2018.
- c. The Respondent documented in her June 26, 2018 Individual Session note that she met with the Client, he signed the treatment plan, and that "the [Client] will meet with counselor monthly." The Respondent also documented that, at that time, the Client was living at an inpatient rehabilitation facility (the "Facility").
- d. A "Patient Reassignment" note dated July 27, 2018 states that "[Client is reassigned to Aprils [sic] caseload. April did [Client's] SMART TAP and [Co-worker] did patient's intake."
- e. In her August 13, 2018 Individual Session note, the Respondent documented that the Client "met with this counselor for monthly session." The Respondent documented that she discussed issues Client was having with finances, suggestions regarding Client's issues with cravings, and recommendations regarding group meetings.
- f. The Respondent documented in her August 30, 2018 Individual Session note that the Client came to see her and was upset he was laid

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<sup>4</sup> The Center's Program Director indicated that all clinical notes are signed electronically by the individual employee who provided the specific services documented in the note.

off his job. The Respondent documented that she explained half-way house programs to the Client and “what open-minded and willingness means.”

- g. In her September 11, 2018 Individual Session note, the Respondent documented that she met with the Respondent regarding his search for employment, assisted him in reviewing his records, and provided information regarding programs that assisted with the expungement process.
- h. The Respondent documented in her September 18, 2018 Individual Session note that she met with the Client “for weekly session” and gave him an application for a transitional recovery house (“Recovery House”) in anticipation of his upcoming graduation from the Facility.
- i. In her Individual Session note dated September 25, 2018, the Respondent documented that the Client met with her “because of a hold placed on him for a treatment plan.” The Respondent also documented that the Client told her that he was getting “kicked out of the [Facility] because he was caught smoking in the [Facility] in the middle of the night.”
- j. A “Patient Reassignment” note dated October 19, 2018 indicated that the Client was reassigned to the Complainant’s caseload from the Respondent’s due to “restructuring caseloads.”

#### **Board Investigator’s Interview of the Client**

- 9. On or about December 2, 2020, the Board’s Investigator interviewed the Client who stated the following:
  - a. He and the Respondent are currently involved in a romantic relationship and living together at the same address.
  - b. He denied receiving individual or group counseling from the Respondent at the Center.
  - c. He was familiar with the Respondent prior to receiving services at the Center and the Facility.
  - d. He knew the Respondent worked at the Center but denied having any personal interaction with her.



- e. He received in-patient treatment at the Facility for three to four months in 2018. While receiving inpatient treatment at the Facility, he also participated in the methadone program at the Center.
  - f. He received all counseling and treatment at the Facility and only went to the Center to receive methadone doses.
  - g. He believes that he received methadone doses for approximately 1 ½ months at the Center and ended services there in October 2018.
10. The Client provided the Board a written statement signed and dated January 11, 2021, in which he indicated that the Respondent began providing services to him at the Center in July 2018 until September 2018 and that he had a consensual, personal, and sexual relationship with the Respondent “months after.”

#### **Board Investigator’s Interview of the Respondent**

11. On December 22, 2020, the Board Investigator interviewed the Respondent, under oath. The Respondent stated the following:
- a. She admitted that she currently has a personal, romantic, and sexual relationship with the Client which started at the end of December 2018.
  - b. She worked at the Center from May 25, 2018 until September 28<sup>th</sup> or 29<sup>th</sup> (2018). Some of her job duties included case management, meeting with patients, and facilitating group sessions.
  - c. She had a caseload of 60-65 clients at the Center.
  - d. She did the Client’s intake at the Center. The intake assessment for the methadone clinic at the Center was called a SMART TAP, and included “getting their using history, like the first time they used, the date of their last use, where they’re from, what methadone clinic they’re coming from, if they’re attending meetings or where they’re at now.”
  - e. For the methadone patients who received dosing at the Center, she

would do a “treatment plan” and “the case management work.”

- f. She provided counseling services to the Client from June until September, when she left. She believes she had “maybe” one or two sessions with the Client.
- g. Her counseling with the methadone clients was for only “15 minutes” and “most of the time it would be around if the med, if your [*sic*] dose was working.”
- h. When she left her employment at the Center, the Client was still participating in the methadone program there.
- i. Her understating of the regulations as it pertains to relationships with patients outside of the client/counselor relationship is that “if you have a therapeutic relationship with a client, there can be no personal relationship.” She said she understands and learned that “you don’t have personal relationships with clients past meeting, like in the setting.”
- j. She defines a “therapeutic relationship” as “rapport building, helping the client foster change in their behaviors and substance – you know, as it pertains to substance use and maybe like interrupting the usage. Trying to help them change.”
- k. After she left her employment at the Center, she met the Client at a personal function and recognized him from the Center. They exchanged phone numbers.
- l. She initially had a “talking relationship” with the Client and “it wasn’t romantic until a little bit later.” Her relationship with the Client became sexual in January 2019.
- m. As of December 2020, she and the Client have been living together for approximately a year and a half.

### **GROUNDS FOR DISCIPLINE**

12. The Respondent's actions including engaging in sexual behavior with an individual with whom the Respondent had rendered professional services, as set forth above, constitutes violations of: Health Occ. § 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); and/or § 17-509(16) (commits an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy) in that the Respondent violated COMAR 10.58.03.04(A)(11), (A)(14), and COMAR 10.58.03.05(A)(2)(a), and COMAR 10.58.03.09(C)(1) and (C)(2).

### **NOTICE OF POSSIBLE SANCTIONS**

If, after a hearing, the Board finds that there are grounds for action under Health Occ. § 17-509(8), (9), (13), and/or (16), and/or COMAR 10.58.03.04(A)(11), (A)(14), and/or COMAR 10.58.03.05(A)(2)(a), and/or COMAR 10.58.03.09(C)(1) and/or (C)(2), it may impose disciplinary sanctions in accordance with the Board's regulations under COMAR 10.58.09.01 *et seq.*, including reprimanding the Respondent, placing the Respondent on probation, or suspending or rescinding the Respondent's trainee status, and may impose a monetary penalty.

### **NOTICE OF OPPORTUNITY FOR HEARING**

In accordance with the Administrative Procedures Act, Md. Code Ann., State Gov't §§ 10-201 *et seq.* (2021 Repl. Vol.), the Board hereby notifies the Respondent of her opportunity for a hearing prior to the Board making a final decision in this case. The Respondent must request a hearing **WITHIN THIRTY (30) DAYS** of service of this Notice. The request for hearing must be made in writing to:

Tony W. Torain, Executive Director  
Maryland State Board of Professional Counselors and Therapists  
4201 Patterson Avenue



Baltimore, Maryland 21215-2299  
Fax: 410-358-1610

If a request for a hearing is made, the Board will schedule a Case Resolution Conference and a hearing, and the Respondent will be notified of the scheduled dates.

If the Board does not receive a written request for a hearing within **thirty (30) days** of service of this Notice, the Board will sign the attached Final Order.

January 21, 2022

Date

  
Mary N. Drotleff, LCMFT  
Board Chair  
Maryland State Board of Professional  
Counselors and Therapists