

ELISE W. BERSHAW, LCSW-C

6/7/19

Date:

Sherryl Silberman, LCSW, Board Chair<sup>c</sup>  
State Board of Social Work Examiners  
4201 Patterson Avenue  
Baltimore, Maryland 21215

Received

JUN 12 2019

Board of Social  
Work Examiners

RE: Surrender of Social Work License  
License Number: 12123  
Case Number: 18-2449

Dear Ms. Silberman and Members of the Board:

Please be advised that I have decided to **SURRENDER** my license to practice social work in the State of Maryland, License Number: 12123, effective immediately. I understand that upon surrender of my license, I may not practice social work, with or without compensation, or otherwise engage in the practice of social work in the State of Maryland as it is defined in the Maryland Social Workers Act (the "Act"), Md. Code Ann., Health Occupations. ("Health Occ.") §§ 19-101 *et seq.*, (2014 Repl. Vol. & 2018 Supp.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that I am in the same position as an unlicensed individual in the State of Maryland.

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT**, and, on the Board's, acceptance becomes a **FINAL ORDER** of the Board.

My decision to surrender my license to practice social work in the State of Maryland has been prompted by an investigation of my license by the Maryland State Board of Social Work Examiners (the "Board"). The results of the investigation led the Board to issue disciplinary charges against me on or about February 22, 2019, under Case Number 18-2449.

I have decided to surrender my license to practice social work in the State of Maryland to avoid further prosecution of the disciplinary charges now pending before the Board. I acknowledge that the Board initiated an investigation of this matter and issued disciplinary charges against me under the Act.

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After its investigation the Board charged me with violating the following provisions of Health. Occ. §§ 19-311:

- (4) Commits any act of gross negligence, incompetence, or misconduct in the practice of social work;
- (5) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work;
- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board[.]

The Board also charged me with violating the following provisions of COMAR 10.42.03:

.03 Responsibilities to Clients.

B. The licensee may not:

- (3) Exploit a relationship with a client for personal advantage or satisfaction[.]

.05 Relationships.

C. The licensee may not engage in sexual misconduct with either current or former clients.

D. The licensee may not engage in sexual misconduct with a client, supervisee, student, trainee, or colleague over whom the licensee exercises professional authority.

.06 Standards of Practice.

B. A licensee may not:

- (1) Undertake or continue a professional relationship with a client when the competence or objectivity of the licensee is or could reasonably be expected to be impaired due to:
  - (a) Mental, emotional, physiological, pharmacological, substance abuse, or personal problems; or
  - (b) The licensee's present or previous familial, social, sexual, emotional, financial, supervisory, political,

administrative, legal, or other relationship with the client or a person associated with or related to the client; or

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

I wish to make clear that I have voluntarily, knowingly, and freely chosen to submit this Letter of Surrender to avoid prosecution of the aforementioned charges under the Act. I acknowledge that if the case were to proceed to an evidentiary hearing, the State would be able to prove by a preponderance of the evidence that I violated the Act as charged. I acknowledge that for all purposes relevant to social work licensure, those investigative findings will be treated as if proven.

I further acknowledge that the State can prove that I was employed as a social worker at Facility A, an outpatient drug and mental health treatment facility, between December 2016 and September 2017.<sup>1</sup> I also acknowledge that the State can prove that I acted inappropriately with clients, while I was employed at Facility A. My conduct included flirting with clients, touching clients inappropriately, and feeding food to clients. A few days after I was no longer employed at Facility A, I began a personal and sexual relationship with a Facility A client ("Client A"). I was Client A's therapist when I was employed at Facility A.

I understand that by executing this Letter of Surrender I am waiving any right to contest the charges in a formal evidentiary hearing at which I would have had the right to counsel, 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.

I understand that the Board will advise the National Practitioners' Data Bank of this Letter of Surrender, and in any response to any inquiry, that I have surrendered my license in lieu of further disciplinary action under the Act. I also understand that in the event I would apply for license in any form in any other state or jurisdiction, that this Letter of Surrender and the underlying investigative documents may be released or published by the Board to the same extent as a final order that would result from disciplinary action, pursuant to Md. Code Ann., State Govt., § 10-611 *et seq.*, (2014 Repl. Vol & 2018 Supp.), and that this Letter of Surrender is considered a disciplinary action by the Board.

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<sup>1</sup> The names of Facility A and Client A referred to in this document has been omitted to protect confidentiality.

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I affirm that on or before the date of Board's acceptance of this Letter of Surrender, I will provide to Board staff my social work licenses. As a condition of petitioning for reinstatement of my Maryland License, I will submit to a mental health evaluation by a Board-assigned evaluator at my expense. I will also need to provide documentation that I have satisfied all my continuing education requirements for all subsequent renewal periods that I am not licensed by the Board. If I apply for reinstatement of my Maryland License, I understand that the Board is not required to grant reinstatement and, if it does grant reinstatement, may impose any terms and conditions the Board considers appropriate for public safety and the protection of the integrity and reputation of the profession. I understand that when applying for reinstatement, I will approach Board in the same posture as one whose license has been revoked. I also understand that if I apply for reinstatement, I bear the burden of demonstrating my professional competence and fitness to practice social work to the satisfaction of the Board.

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 the attorney of my choice throughout proceedings before the Board, including the right to counsel 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 voluntarily choose to surrender my Maryland license to practice social work pursuant to the terms and conditions set out herein. I make this decision knowingly and voluntarily.

Very truly yours,



Elise W. Bershaw, LCSW-C

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NOTARY

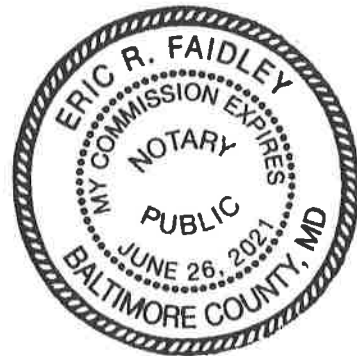
STATE OF MARYLAND  
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 7th day of June 2019, before me, a Notary Public of the State and City/County aforesaid, personally appeared **ELISE W. BERSHAW, LCSW-C**, and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was her voluntary act and deed.

AS WITNESS my hand and Notarial seal.

Eric Faidley  
Notary Public

My Commission expires: June 26, 2021



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**ACCEPTANCE**

On this 14<sup>th</sup> day of June, 2019, I, Sherryl Silberman, LCSW-C,  
on behalf of the Maryland State Board of Social Work Examiners, accept the  
**SURRENDER** of the license of **ELISE W. BERSHAW, LCSW-C** to practice social work  
in the State of Maryland.



Sherryl Silberman, LCSW-C  
Board Chair, Maryland State Board of Social  
Work Examiners