

IN THE MATTER OF

* BEFORE THE

AMY LYNN EASLEY, LCSW-C

* MARYLAND BOARD

Respondent

* OF SOCIAL WORK EXAMINERS

LICENSE NUMBER: 09465

* CASE NUMBER: 14-1916

* * * * *

CONSENT ORDER

On November 5, 2014, the Maryland Board of Social Work Examiners ("the Board") issued a "Notice of Charges under the Maryland Social Work Act" to **AMY LYNN EASLEY, LCSW-C (the "Respondent")** license number **09465**, based on alleged violations of the Maryland Social Work Examiners Act ("the Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 19-101 *et seq.* (2009 Repl. Vol. and 2013 Supp.).

Based upon the allegations made in the Complaint and the Board' investigation, the Board charged Ms. Easley under the following provisions of H.O. § 19-311:

Subject to the hearing provisions of § 19-312 of this subtitle, the Board may deny a license to any applicant, fine a licensee, reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the applicant or licensee;

- (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; to wit:

COMAR 10.42.03.03A The licensee shall: (5) Maintain documentation in the client's medical record which: (f) Is reasonably accessible for the period required in Health General Article, §4-403, Annotated Code of Maryland, after

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termination of services;

COMAR 10.42.03.05 E. The licensee may not terminate professional services or a professional relationship with a client in order to enter into a nonprofessional, social, or sexual relationship with the client or an individual with whom the client has a personal relationship.

- (20) Fails to maintain adequate patient records[.]

BACKGROUND

On December 15, 2014, the Respondent appeared before members of the Board and the Board's counsel for a Case Resolution Conference (CRC) to discuss the potential resolution of the Charges by consent. At the conclusion of the CRC, the Respondent agreed to enter into this Consent Order to resolve the pending charges and to avoid the expense and time of proceeding to an administrative hearing. The Respondent and the Board agreed to the inclusion of Findings of Fact and Conclusions of Law as required by the Board, and with the terms and conditions set forth herein. While accepting as a condition of resolving the Charges by consent that the allegations made by the Complainant (herein referred to as the "client") as set forth in the Findings of act will be included herein, Respondent does not admit factual allegations asserted by the client.

FINDINGS OF FACT

The Board finds the following:

I. Factual Background

1. At all times relevant, the Respondent was and is licensed to practice clinical social work in the State of Maryland. The Respondent was licensed as a

licensed certified social worker-clinical ("LCSW-C") on August 5, 1997. Her license is currently active and is scheduled to expire on October 31, 2015.

2. At all times relevant, the Respondent was employed as a social worker in private practice.

II. Board History

3. On January 13, 2012, the Board charged the Respondent with violations of the Act stemming from a complaint that the Respondent was unprofessional in her treatment of a client ("Client A") and the client's spouse ("Client B"). The charges alleged, in part, that the Respondent violated professional boundaries in her relationship with Client A and that the Respondent gave Client A prescription medication that was prescribed for the Respondent's son.

4. On May 11, 2012, the Respondent entered into a Consent Order with the Board in which the Respondent's license was suspended for a period of six months, with all but 30 days stayed. The Respondent's license was also placed on probation for a period of two years subject to terms and conditions.

III. Current Allegations

5. On January 3, 2014, the Board received a complaint from a former client ("the client") of the Respondent alleging unprofessional conduct and professional boundary violations.

6. According to the client, the Respondent had provided therapeutic services to her for a short period of time in late 2003/early 2004. At the time, the client was 16 years old and the Respondent provided services at her Finksburg, Maryland office.

7. On or about September 25, 2008, the client contacted the Respondent by e-mail to inquire as to whether the Respondent was still in practice, and if so, the location and cost. The Respondent responded by e-mail that she remembered the client, had an office in Sykesville, Maryland, and accepted insurance.

8. The Respondent e-mailed the client again on or about October 6, 2008 stating, "Please call the office and pay what you can if you can't afford the \$40." The Respondent further stated in a second email that "if you need to talk, I am here for you as I know the background information. . . So please call as I would love to see you and help you work through whatever is on your mind."

9. The client's first appointment with the Respondent was on October 20, 2008 and was held at the Respondent's home office in Sykesville, Maryland.

10. The Respondent saw the client on approximately 22 occasions from October 20, 2008 through June 2, 2009. Each visit is documented in the Respondent's professional appointment book.

11. In her complaint, the client stated that the Respondent kept notes of their sessions and worked with her on therapeutic topics.

12. According to the client, on or about January 27, 2009, the Respondent sent the client an email inviting the client to follow the Respondent's CarePages website. CarePages is an online community that allows a user to create a personalized website to post stories and photographs. The Respondent created a CarePages website to document her journey as she was being treated for a serious health condition.

13. The client also stated that on or about April 4, 2009, the Respondent invited the client to her home for a "therapeutic movie night." According to the client, she and the Respondent watched "The Secret Life of Bees" in the Respondent's bedroom. The client stated that the Respondent did not take any notes during the session and they did not discuss the content of the movie.

14. During the summer of 2009, the client went to Virginia to work as a live-in nanny for a family friend ("Witness A").

15. According to the client, on or about May 29, 2009, the Respondent proposed that they terminate their therapeutic relationship in favor of a "mentorship," which the client accepted. The client stated that the Respondent provided her with a supply of Effexor XR¹ for the summer since the client would not be in therapy during those months. The client took the medication from May 29, 2009 until July 2009.

16. The Respondent is not a physician and does not have the ability to write prescriptions or dispense medication.

17. During June 2009, the Respondent and the client corresponded via email and planned a movie night at the Respondent's home. The client indicated that she might just want to talk, rather than watch a movie. They also discussed how the client was feeling while taking "the medication." The Respondent further advised the client regarding taking vitamins.

¹ Effexor XR (generic: venlafaxine HCL) is a serotonin-norepinephrine reuptake inhibitor (SNRI) used to treat depression. It is available by prescription only.

18. Also during email exchanges in June 2009, the client asked the Respondent for religious advice about suicide and disclosed that she "still [has] the passive suicidal thoughts."

19. In an e-mail dated June 22, 2009, the client disclosed her feelings about Witness A as a "mother figure" to the Respondent and asked for the Respondent's opinion. The client also disclosed her worsening obsessive compulsive symptoms, to which the Respondent stated that the client might "need to be on Prozac." The Respondent stated that Prozac "is the best for OCD and if you [sic] your PCP will write you a Prescription [sic] for 60mg - start at 20 for 1 week; 40 for 2nd week and 60 for the next week." The Respondent also provided insight into the client's relationship with Witness A.

20. In several of the Respondent's e-mails to the client, the Respondent asked her to delete the e-mail after reading it.

21. On or about July 10, 2009, the client returned to Maryland from Virginia to attend a wedding. The Respondent allowed the client to stay at her residence during this time. The client stated that during the weekend the Respondent gave her three separate medications. Two of the three medications were in a bottle which contained a three-day supply of each medication. The client did not recall the names of those two medications. The third prescription was a 20-day supply of Risperdal² in a blister pack, which the Respondent stated was prescribed to her son. The Respondent indicated that

² Risperdal (generic: risperidone) is an antipsychotic medication that is used to treat schizophrenia and symptoms of bipolar disorder. It is also used to treat irritability associated with autism in children.

the Risperdal would help treat the client's anxiety. The client did not take any of the medication given to her by the Respondent.

22. When the client returned to Witness A's home in Virginia she reported the events of the weekend to Witness A, and told Witness A about the medications that the Respondent gave to her.

23. In a letter dated July 25, 2009, Witness A terminated her childcare agreement with the client. Witness A cited concerns regarding the client taking prescription medication not prescribed to her and engaging in an "enmeshed relationship" with her therapist (the Respondent).

24. The client responded to Witness A via e-mail and later disclosed to Witness A that the Respondent drafted the e-mail response on her behalf.

25. According to the client, she ripped up the Risperdal prescription label and threw it in the trash at Witness A's home. She threw the other two medications away in a dumpster. Witness A recovered the torn Risperdal prescription label from her trash can. The last name on the prescription label is "Easley" (the first name is not decipherable) and the date of the prescription is August 2, 2007.

26. The client lived at the Respondent's residence from July 17, 2009 until November 15, 2009, when the client was admitted to Facility A, a psychiatric hospital. The client was discharged from Facility A on November 19, 2009 and the Respondent verbally asked the client to leave the residence. The Respondent also sent the client an e-mail explaining why the client could no longer live in her residence.

27. During the Board's investigation, Board staff issued a subpoena for the Respondent's treatment records for the client. The Respondent indicated that she does

not have any treatment records for the client because she did not provide therapy to the client.

28. On or about April 7, 2014, Board staff interviewed Witness A, who stated that in or around March or April 2009, the Respondent sent her a questionnaire to fill out to help the client with her therapy. Witness A filled out the questionnaire and returned it to the Respondent.

29. On or about May 1, 2014, Board staff interviewed the Respondent, who denied that she provided the client with social work services. The Respondent maintains that the client wanted mentorship, life skills, and Bible study. The Respondent also denies giving the client any medication.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concluded that, if proven true, the factual allegations would support a finding as a matter of law that the Respondent violated H.O. §§19-311(5), (6), and (2). The Board also concluded that, if proven true, the factual allegations would support a finding as a matter of law that the Respondent violated COMAR 10.42.03.03A(5)(f) and 10.42.03.05E. The Board dismisses the charge under H.O. §19-311(4).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the agreed upon terms of the resolution of the Charges by consent at the CRC, on this 13th day of February, 2015, by a majority of the full authorized membership of the Board considering this case, it is hereby

ORDERED that the Respondent's license to practice social work in the State of Maryland is **SUSPENDED** for a period of **SIX (6) MONTHS**, with all but **SIX (6) MONTHS STAYED**; and it is further

ORDERED that the Respondent shall be placed on Board-supervised probation for a period of at least **TWO (2) YEARS** and until the following terms and conditions are fully and satisfactorily complied with:

1. The Respondent's status as a licensed clinical social worker will be listed in the Board's computer records and website as being on "Probation";
2. If and when the Respondent returns to the practice of social work, the Respondent shall choose a supervisor from a list of Board-approved supervisors. The focus of the supervision shall include, but is not limited to, recordkeeping. The Respondent shall make her records available for inspection by the supervisor, and the Respondent shall meet with the supervisor, in person, once per month for at least 60 minutes.
3. During the probationary period the supervisor may make a written request to the Board to reduce the frequency of or discontinue the supervision. Whether to grant such a request is solely within the Board's discretion.
4. The supervisor shall supply the Board with monthly, written reports on the Respondent's practice. The Respondent shall provide the supervisor with a copy of this Consent Order prior to their initial meeting, and the Board may release to the supervisor any portion of the investigative file as is deemed necessary by the Board and/or the supervisor, provided that a copy of the investigative file is also released to the Respondent.

5. A negative report from the supervisor may result in a violation of this Consent Order and further sanctions at the Board's discretion, after notice and opportunity for hearing;

6. The Respondent shall abide by any and all recommendations made by the supervisor. Failure to cooperate and failure to abide by the supervisor's recommendations shall be deemed a violation of the Order;

7. The Respondent shall practice social work according to the Maryland Social Work Act and in accordance with all applicable laws, statutes and regulations pertaining to the practice of social work; and it is further

ORDERED that after two (2) years from the date of this Consent Order, the Respondent may submit a written petition to the Board requesting termination of probation. After consideration of the petition, the probation may be terminated, through an order of the Board, or a designated Board committee. The Board, or designated Board committee, will grant the termination if the Respondent has fully and satisfactorily complied with all of the probationary terms and conditions and there are no pending complaints related to the charges; and it is further


ORDERED that if the Respondent violates any of the terms and conditions of Probation and this Consent Order, the Board, in its discretion, after notice and an opportunity for a show cause hearing before the Board, may impose any sanction which the Board may have imposed in this case, including a probationary term and conditions of probation, reprimand, suspension, lifting the stay of suspension, revocation and/or a monetary penalty, said allegations of violation of the terms and

condition of this Consent Order shall be proven by a preponderance of the evidence; and it is further

ORDERED that the Respondent is solely responsible for all costs incurred in fulfilling the terms and conditions of the Consent Order; and it is further

ORDERED that this Consent Order is a **PUBLIC DOCUMENT**, pursuant to Md. State Gov't Code Ann. §§ 10-611 et seq. (2014 Repl. Vol.), and is reportable to any entity to which the Board is obligated to report.

2.13.15
Date



Mark Lannon, LCSW-C, Board Chair
State Board of Social Work Examiners

CONSENT

I, Amy Lynn Easley, LCSW-C, acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity of this Consent 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 acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I waive my right to appeal any adverse ruling of the Board that might have followed any such hearing.

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

2/10/15
Date

Amy Lynn Easley
Amy Lynn Easley, LCSW-C, Respondent

Reviewed and approved by:

R. Scott Krause
R. Scott Krause, Esq., Attorney for the Respondent

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF BALTIMORE :

I HEREBY CERTIFY that on this 10 day of FEBRUARY, 2015, before me, a Notary Public of the foregoing State personally appeared Amy Lynn Easley, LCSW-C and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed, and the statements made herein are true and correct.

AS WITNESSETH my hand and notarial seal.

Nicole Woods
Notary Public

My Commission Expires: 9/9/15

