

IN THE MATTER OF  
LYNN GAVIGAN, LCSW-C  
RESPONDENT

License Number: 09611

\* BEFORE THE MARYLAND  
\* STATE BOARD OF SOCIAL  
\* WORK EXAMINERS  
\* Case Number: 2019-2647

\* \* \* \* \*

**PRE-CHARGE CONSENT ORDER OF REPRIMAND**

In May 2019, the Maryland State Board of Social Work Examiners (the "Board") initiated an investigation of Lynn Gavigan, LCSW-C (Licensed Certified Social Worker, Clinical), License Number 09611 (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 Social Workers Act (the "Act"), codified at Md. Code Ann., Health Occ. ("Health Occ.") §§ 19-101 *et seq.* (2014 Repl. Vol. & 2017 Supp.), and the regulations adopted by the Board, at Md. Code Regs. ("COMAR") §§ 10.42.01 *et seq.*

Specifically, the Respondent appears to have violated the following provisions of the Act and COMAR:

**Health Occ. § 19-311. Denials, reprimands, suspensions, and revocations – Grounds.**

- (4) Commits any act of gross negligence, incompetence, or misconduct in the practice of social work; and
- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by this Board.

**Health Occ. § 19-301. Definitions**

- (n) Practice social work –

(1) "Practice social work" means to apply the theories, knowledge, procedures, methods, or ethics derived from receiving a baccalaureate or master's degree from a program in social work that is accredited by or a candidate for accreditation by the Council on Social Work Education, or an equivalent organization approved by the Council on Social Work Education, to restore or enhance social functioning of individuals, couples, families, groups, organizations, or communities through:

(xiv) Supervision of other social workers as set forth in regulations.

**COMAR 10.42.08. Supervision.**

.07 Responsibilities of a Supervisor.

C. A supervisor shall:

(4) Maintain documentation, for at least 5 years, of the supervisory sessions, including the dates, duration, and focus of the supervisory sessions;

(13) Provide a copy of the documentation required by Regulation .04 of this chapter: (b) On request, by the Board or its authorized agent; and

(14) Comply with a Board audit of a supervisor's compliance with regard to the supervision requirements and supervisory responsibilities.

As a result of that offer, the Applicant and the Board agreed to the following Consent Order.

**FINDINGS OF FACT**

The Board finds the following facts.

**Background**

1. On or about November 6, 1997, the Respondent was initially licensed to practice social work in the State of Maryland under license number 09611. The Respondent's license was last renewed on or about October 24, 2017.
2. At all times relevant, the Respondent provided social work services in Maryland at Eastern Shore Psychological Services.

## **Complaint**

3. On or about May 2019, the Board initiated a complaint, after a related investigation revealed that the Respondent failed to document the supervision that she provided for the purpose of advanced licensure between 2013 and 2018.
4. Based on the Complaint, the Board began an investigation.
5. In furtherance of the investigation, the Board's investigator conducted an in-person interview under oath with the Respondent and the Respondent's supervisee.
6. During an interview with the Board's investigator, the Respondent acknowledged that she provided supervision to her supervisee at Eastern Shore Psychological Services between 2013 and 2018.
7. The Respondent admitted that she did not have possession of the written contract for initiation or termination of the supervision she provided.
8. The Respondent admitted that she did not possess records of the supervisory sessions, including the dates, duration and focus of the supervisory sessions that she provided between 2013 and 2018.

## **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 an act of gross negligence in the practice of social work in Maryland, in violation of §19-311 (4) and (6) and §19-301 (p) of the Act and the regulatory requirements governing the responsibilities of a supervisor as codified in COMAR 10.42.08.

**ORDER**

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

**ORDERED** that the Respondent is hereby **REPRIMANDED**; and it is further

**ORDERED** that the Respondent shall not serve or continue to serve as: a Board Authorized Sponsor, presenter and/or trainer of social work continuing education learning activities, a Board Approved Supervisor, an Ethics Tutor, or conduct evaluations ordered by the Board for a period of 5 years from the date of this Order.

**ORDERED** that this Pre-Charge Consent Order of Reprimand is a public document, pursuant to Md. State Gov't Code Ann. §§ 10-611 *et seq.* (2014 Repl. Vol. & 2018 Repl. Vol.) and is reportable to any entity to which the Board is obligated to report.

10/11/19  
Date

  
Sherryl Silberman, LCSW-C

Chair

Maryland State Board of Social Work Examiners

Received

SEP 26 2019

Board of Social  
Work Examiners


CONSENT

I, Lynn Gavigan, LCSW-C, acknowledge that I have had been made aware of my right to consult with counsel before signing this document. By this Consent, I accept a Reprimand in lieu of a formal evidentiary hearing on violations of the Act and COMAR contained in this Consent Order.

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 waive any rights I may have had to contest the Findings of Fact and Conclusions of 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 Consent Order and I understand its meaning and effect.

9/25/19  
Date

  
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Lynn Gavigan, LCSW-C  
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF: Wicomico

I HEREBY CERTIFY that on this 25<sup>th</sup> day of September 2019,  
before me, a Notary Public of the State and County aforesaid, personally appeared Lynn  
Gavigan, LCSW-C, 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.

  
*Andrew R. Munt*  
Notary Public

My commission expires:  
Sept 24, 2023