

IN THE MATTER OF	*	BEFORE THE
RHEA LARRY, LGSW	*	MARYLAND BOARD
Respondent	*	OF SOCIAL WORK EXAMINERS
LICENSE NUMBER: G-06449	*	CASE NUMBER: 12-1741

\* \* \* \* \*

**CONSENT ORDER**

On April 13, 2012, the Maryland Board of Social Work Examiners ("the Board") issued a "Notice of Charges under the Maryland Social Work Act" to **RHEA LARRY, LGSW-C (the "Respondent")** license number **G-06449**, 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 2011 Supp.).

Based upon the allegations made in the Complaint and the Board' investigation, the Board charged the Respondent 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;

- (1) Obtained or attempted to obtain a license for the applicant or licensee or for another through fraud, deceit, or misrepresentation;
- (4) Commits any act of gross negligence, incompetence, or misconduct in the practice of social work;
- (5) Knowingly violates any provision of this title;
- (6) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work;

- (7) Violates any provision of this title or regulations governing the practice of social work adopted and published by this Board; [and]
- (8) Is convicted of or pleads guilty or nolo contendere to a felony or to crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside[.]

On Thursday, May 31, 2012, 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. The Respondent was not represented by counsel. 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.

### **FINDINGS OF FACT**

The Board finds the following:

1. The Respondent currently holds a graduate level license to practice social work ("LGSW") in the State of Maryland. She was initially licensed on April 10, 1995. Her license is currently active and is due to expire on October 31, 2013.
2. On or about December 21, 2011, the Board received an anonymous telephone call advising that the Respondent had two recent criminal convictions.
3. Thereafter, the Board opened the case for investigation.
4. A search of the Maryland Judiciary Case Search database revealed that on or about April 4, 2011, in the District Court of Maryland for Anne Arundel County, the Respondent pleaded guilty to Theft – Less than \$100. The Respondent was granted

probation before judgment, one year of unsupervised probation, and a \$500 fine (with \$357.50 suspended).<sup>1</sup>

5. A review of the Respondent's 2011 renewal application, dated October 21, 2011, revealed that the Respondent answered "no" to the question, "Within the last two years, have you pled guilty to, nolo contendere to, been convicted of, or received probation before judgment for any criminal act (excluding misdemeanor traffic violations)?" (emphasis in original).

6. The Respondent checked the box next to the affirmation statement, and provided her electronic signature, affirming that her answers to the questions on the application are "true and correct to the best of [her] knowledge and belief."

#### **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(1), (4), (5), (6), (7) and (8) as set forth at the outset of this Order.

#### **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 14<sup>th</sup> day of September, 2012, by a majority of the full authorized membership of the Board considering this case, it is hereby

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<sup>1</sup> On or about October 25, 2011, in the District Court of Maryland for Montgomery County, the Respondent pleaded guilty to Theft – Less than \$1000. The Respondent was granted probation before judgment and sentenced to 18 months incarceration, suspended, and 18 months of supervised probation. She was also fined in the amount of \$500, which was suspended.

**ORDERED** that the Respondent's license to practice social work in the State of Maryland is **REPRIMANDED**; and it is further

**ORDERED** that the Respondent shall be placed on Board-supervised probation for a period of at least **ONE (1) YEAR** and until the following terms and conditions are fully and satisfactorily complied with:

1. The Respondent's status as a social worker will be listed in the Board's computer records and website as being on "Probation";
2. The Respondent shall provide a copy of this Consent Order to her employer within **five (5) days** of commencing any employment;
3. The Respondent shall secure a Board-certified supervisor ("supervisor") who shall supply the Board with quarterly, 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 supervisor, provided that a copy of the investigative file is also released to the Respondent;
4. A negative report from the Respondent's supervisor may result in a violation of this Consent Order and further sanctions at the Board's discretion, after notice and opportunity for hearing; and
5. The Respondent shall obey all state and federal laws. If the Respondent is charged with, convicted of, or pleads guilty to, any crimes, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside, the Respondent shall notify the Board, in writing, of any criminal charge(s), conviction(s), or guilty plea(s) within **TEN (10) DAYS** of the conviction or guilty plea. Failure to report a criminal

charge, conviction, or guilty plea to the Board in writing within **TEN (10) DAYS** is a violation of probation and this Consent Order;

6. 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 one (1) year 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. (2009 Repl. Vol. and 2011 Supp.), and is reportable to any entity to which the Board is obligated to report.

9/14/12  
Date

Judy Levy Legare  
~~Daniel Buccino, LCSW-C, BCD, Board Chair~~  
State Board of Social Work Examiners  
Judy Levy, LCSW-C, Board Chair  
**CONSENT**

I, Rhea Larry, acknowledge that I have made the decision not 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 am waiving 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.

7/5/12  
Date

Rhea Larry (LGSW)  
Rhea Larry, LGSW


**NOTARY**

**STATE OF MARYLAND**

**CITY/COUNTY OF PRINCE GEORGE :**

I HEREBY CERTIFY that on this 5<sup>th</sup> day of July, 2012, before me, a Notary Public of the foregoing State personally appeared Rhea Larry, 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.

  
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Notary Public

My Commission Expires **SEONG HEE SHIN**  
**NOTARY PUBLIC STATE OF MARYLAND**  
My Commission Expires September 24, 2015