

IN THE MATTER OF
JESSICA NDOCI, LMSW
RESPONDENT

* BEFORE THE MARYLAND
* STATE BOARD OF SOCIAL
* WORK EXAMINERS

License Number: 21406

* Case Number: 2019-2724

* * * * *

CONSENT ORDER

On or about October 26, 2020, the Maryland State Board of Social Work Examiners (the "Board") charged **JESSICA NDOCI, LMSW** (Licensed Master Social Worker) (the "Respondent"), License Number 21406, with 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. & 2019 Supp.), and the regulations adopted by the Board, at Md. Code Regs. ("COMAR") 10.42.01 *et seq.*

The Board based its action on the following provisions of the Act and COMAR:

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

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; [and]
- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board[.]

COMAR 10.42.03.03 Responsibilities to Clients.

A. The licensee shall:

(5) Maintain documentation in the client's record which:

(g) Ensures that no confidential information is disseminated and identities are protected when using technology to communicate or access client information.

COMAR 10.42.03.05 Relationships.

A. The licensee may not enter into a dual relationship with a client or an individual with whom the client has a close personal relationship.

COMAR 10.42.03.06 Standards of Practice.

B. A licensee may not:

(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.

On or about December 7, 2020 the Respondent attended a Case Resolution Conference (CRC) with the Board. Following the CRC, the Board and the Respondent agreed to enter into this Consent Order to resolve the Charges.

FINDINGS OF FACT

The Board finds the following facts.

Background

1. At all times relevant, the Respondent was and is licensed to practice master social work in the State of Maryland. The Respondent was initially licensed to practice as an LMSW on or about November 5, 2015. The Respondent's LMSW license is current through October 31, 2021.

2. At all times relevant, the Respondent provided social work services at facilities in Maryland.

Complaint

3. On or about October 28, 2019, the Board received a complaint (the "Complaint") from an individual (the "Complainant") who alleged that the Respondent was engaging in various inappropriate behaviors with clients.

4. Specifically, the Complaint alleged that the Respondent was posting photos and video recordings of her clients to social media, texting with clients about personal matters, and generally behaving toward clients in a way that appeared she was "trying to be their friend and not a professional." The Complaint also alleged that the Respondent had travelled on vacation with a former client and had gone into a liquor store while a client waited in her car.

5. Based on the Complaint, the Board began an investigation.

Investigation

6. In furtherance of the investigation, the Board requested a written response and a copy of records relating to the Complaint and conducted interviews under oath with the Respondent and the Complainant.

7. On or about January 29, 2020, the Board's investigator conducted an interview with the Respondent under oath. During the interview, the Respondent admitted that she had engaged in many of the activities alleged in the Complaint and acknowledged crossing professional boundaries with clients.

8. Specifically, the Respondent admitted that while working as a social worker, she engaged in the following activities: taking a client to a nail salon; going on vacation with a former client; posting numerous photos and videos of clients and herself on social media; discussing personal relationship matters with a boyfriend on speaker phone while driving in a car with a client; having a bottle of liquor in the car and driving to a liquor store while a client was in the car; and attempting to take a client to church on a Sunday.

9. The Respondent expressed that in retrospect, her actions were inappropriate and stated that she would not repeat them. She also expressed an interest in remedial education to improve her own understanding of boundary issues.

10. On or about February 11, 2020, the Board received a written response to the Complaint from the Respondent. According to the written response, the Respondent stated, "I have taken pictures with adult (teenage) clients after asking their permission. I also agree that I did take a former client on a trip."

11. With regard to the social media postings involving clients, the Respondent provided a list of 9 (nine) names of clients who "have been in photos/videos with me."

CONCLUSIONS OF LAW

The Board concludes as a matter of law that the Respondent's conduct, as described above generally, constitutes violations of the Act and the regulations adopted by the Board as cited above.

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 **REPRIMANDED**; and it is further

ORDERED that the Respondent is placed on Board-supervised **PROBATION** for a period of at least **THREE (3) 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. Within 6 months of the effective date of the Consent Order, the Respondent shall submit documentation to the Board showing that she has successfully completed a course, approved by the Board in advance, in professional ethics. The course shall be in-person (i.e. not an online course) unless the Respondent demonstrates that a suitable in-person course is not available due to the COVID-19 state of emergency. The course shall not count towards the Respondent's Continuing Education requirements for renewal of licensure;
3. Within 6 months of the effective date of the Consent Order, the Respondent shall submit documentation to the Board showing that she has successfully completed a course, approved by the Board in advance, in professional boundaries. The course shall be in-person (i.e. not an online course) unless the Respondent demonstrates that a suitable in-person course is not available due to the COVID-19 state of emergency. The course shall not count towards the Respondent's Continuing Education requirements for renewal of licensure;
4. Within thirty (30) days of the effective date of the Consent Order, the Respondent shall engage the services of a supervisor whom she has chosen from a list of Board-approved supervisors that the Board shall provide to her. The focus of the supervision shall include, but is not limited to, professional boundaries and ethics. The Respondent shall make her records available for inspection by the supervisor, and the Respondent shall meet with the supervisor face to face (i.e. either in person or via teleconference) once per month for at least 60 minutes, for the duration of the probationary period;

5. At his/her discretion, the supervisor may make a written request to the Board to reduce or modify the terms of the supervision as the supervisor deems appropriate. Whether to grant such a request is solely within the Board's discretion;
6. The supervisor shall supply the Board with quarterly, written reports on the Respondent's practice over the period of supervision, totaling four (4) reports per year. 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;
7. A negative report from the supervisor, as determined in the sole discretion of the Board, constitutes a violation this Consent Order;
8. The Respondent shall not apply for advanced licensure until the Board issues an order terminating probation;
9. 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 Order; and
10. 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 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, an ethics tutor, an evaluator for the Board, or a Board-approved supervisor for a period of 5 (five) years from the effective date of this Consent Order; and it is further

ORDERED that after three (3) 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 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. Code Ann., State Gov't §§ 10-611 *et seq.* (2014 Repl. Vol.), and is reportable to any entity to which the Board is obligated to report.

01/08/2021



Date

Gerard Farrell, Board Chair
Maryland State Board of Social Work Examiners

CONSENT

I, Jessica Ndoci, LMSW, 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.

12/21/20
Date

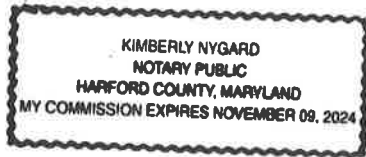
Jessica Ndoci, LMSW
Jessica Ndoci, LMSW
The Respondent

NOTARY

STATE OF Maryland
CITY/COUNTY OF: Harford

I HEREBY CERTIFY that on this 21 day of December, 2020, before me, a Notary Public of the State and County aforesaid, personally appeared Jessica Ndoci, LMSW, 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.




Notary Public

My commission expires: 11/09/24