

IN THE MATTER OF

\*

BEFORE THE MARYLAND

LISA E. ORENSTEIN, LCSW-C

\*

BOARD OF SOCIAL WORK

RESPONDENT

\*

EXAMINERS

LICENSE NUMBER: 23344

\*

CASE NUMBER: 18-2574

\* \* \* \* \*

**CONSENT ORDER**

The Maryland Board of Social Work Examiners (the "Board") charged **Lisa E. Orenstein, LCSW-C**, License Number: **23344** (the "Respondent"), under the Maryland Social Workers Act (the "Act"), Md. Code Ann., Health Occupations ("Heath. Occ.") §§ 19-101 *et seq.* (2014 Rep! & 2020 Supp.). The Board charged the Respondent with violating the following:

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

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

Pursuant to Health Occ. § 19-311(6), the pertinent provisions of Md. Code Regs.

("COMAR"), provide the following:

**COMAR 10.42.03.03 Responsibilities to Clients.**

B. The licensee may not:

- (1) Participate or condone dishonesty, fraud, deceit, or misrepresentation.
- (2) Misrepresent professional qualifications, education, experience, or affiliation[.]

**COMAR 10.42.03.06 Standards of Practice.**

A. Professional Competence. The licensee shall:

- (7) Document and maintain appropriate and accurate records of professional service, supervision, and research work[.]

**ALLEGATIONS OF FACT<sup>1</sup>**

The Board bases its charges on the following facts that it has reason to believe are true:

- 1. The Respondent was originally licensed to practice as a licensed masters social worker ("LMSW") in Maryland on or about on or about September 28, 2017.

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<sup>1</sup> The allegations, set forth in this document, are intended to provide the Respondent with notice. They are not intended as, and do not necessarily represent, a complete description of the evidence, either testimonial or documentary, to be offered against the Respondent.

2. The Respondent was licensed to practice as a licensed clinical social worker ("LCSW-C") in Maryland on or about December 19, 2019. The Respondent's license expires on or about October 31, 2025.

3. At all times relevant hereto, the Respondent owned and operated a practice ("Practice A") located in Annapolis, Maryland that provides mental health services to clients.

4. Between October 29, 2018 and November 11, 2018, the Respondent was employed as an independent contractor at a practice ("Practice B") located in Annapolis, Maryland. Practice B provides mental health and substance abuse treatment to clients. The owner of Practice B is licensed to practice psychology in Maryland.

5. On or about November 14, 2018, the Board received a complaint from the owner and operator of Practice B about the Respondent's conduct while she was employed at Practice B.

6. An investigation by the Board revealed the following

- a. On or about October 29, 2018, the Respondent began work as a Licensed Master Social Worker at Practice B. During her employment at Practice B, the Respondent had a contract with a Board-approved supervisor, who was also the Respondent's immediate supervisor at Practice B. While employed at Practice B, the Respondent saw clients along with the clients' family members for therapy.
- b. While employed at Practice B, the Respondent failed to do the following: obtain and document that she received informed consent from a client prior to treatment; encrypt confidential patient information before sending the information through e-mail; timely complete client progress notes; complete and timely submit client intake reports; comply with the

recommendations of her Board-approved supervisor and maintain appropriate boundaries with clients.

7. As a result of her conduct set forth above, and after she was counseled about her conduct by Practice B staff, the Respondent was terminated from Practice B on or about November 11, 2018. However, the Respondent contends that she was not terminated from Practice B.

8. Following her termination, the Respondent went to Practice B and retrieved her personal belongings. She left the keys to the cabinet containing clients' files under the keyboard of a Practice B employee that would allow anyone, including cleaning personnel the ability to access client records.

9. Further investigation by Board staff revealed that the Respondent had advertised her services on a website. Her profile on the website dated August 1, 2019, stated that she was a "Clinical Social Work/Therapist" at Practice A. The Respondent was not licensed to practice clinical level social work until December 19, 2019.<sup>2</sup>

10. During a September 26, 2019 interview conducted by Board staff, the Respondent admitted under oath that she failed to: (1) send obtain and document that she received informed consent from a client prior to treatment; (2) encrypt confidential patient information before sending the information via e-mail; (3)

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<sup>2</sup> Under Health Occ. § 19-101(h) "Licensed certified social worker-clinical" means an individual licensed by the Board to practice clinical social work. Health Occ. § 19-101(m) "Practice clinical social work" means to use the specialized education, training, and experience required under § 19-302(e) of this title to practice social work.

timely complete client progress notes; and (4) complete and timely submit client intake reports.

11. During the September 26, 2019 interview with Board staff, the Respondent also admitted that she had indicated on a website that she was a "Clinical Social/Therapist" before she was licensed by the Board practice clinical social work.

12. The Respondent's conduct as set forth above is a violation of Health Occ. § 19-311(4), (5), (6), and (20); COMAR 10.42.03.03 B(I) and (2); and COMAR 10.42.03.06 A (7).

### **CONCLUSION OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Health Occ. §19-311 (4), (5), (6), (20); COMAR10.42.03.03B (I) and (2); COMAR 10.42.03.06A (7).

### **ORDER**

**ORDERED** that Respondent's license shall be placed **PROBATION** for a period of **TWO (2) YEARS** and until the following terms and conditions are fully and satisfactorily complied with:

- (1) The Respondent shall enroll in and successfully complete a Board-approved ethics tutorial facilitated by a Board-Approved Ethics instructor. The ethics tutorial shall be twelve (12) continuing education credits. The Respondent shall ensure that the instructor provides the Board with a written report detailing the Respondent's participation in and completion of the tutorial. The ethics tutorial shall be in addition to any course required to satisfy the

continuing education requirements for the applicable 2-year licensure renewal period and shall be completed within one (1) year of the effective date of this Consent Order.

- (2) The Respondent shall take a Board-Approve course for each of the following subject matters: a) HIPPA and Confidentiality; (b) Informed Consent; (c) Documentation; and (d) Professionalism. The courses required in this paragraph shall be in addition to any course required to satisfy the continuing education requirements for the applicable 2-year Iicensure renewal period and shall be completed within one (1) year of the effective date of this Consent Order.
- (3) The Respondent shall provide a copy of this Consent Order to her employer and her Board-Approved supervisor within ten (10) days of the effective date of this Consent Order. The Respondent shall also provide the contact information of her employer within ten (10) days of the effective date of this Consent Order. The Respondent shall provide proof satisfactory to the Board that her Board Approved-Supervisor and her employer received a copy of this Consent Order.
- (4) The Respondent shall notify the Board within seven (7) days of any changes in her employment and/or supervision and must provide the name of any new employer and/or supervisor. The new supervisor must be Board-Approved. The Respondent shall provide proof satisfactory to the Board that her new Board Approved-Supervisor and her new employer received a copy of this Consent Order. The Respondent shall also provide the contact information of her new employer.
- (5) The Respondent shall ensure that the Board Approved Supervisor submits quarterly to the Board during the of her probationary period.
- (6) The Respondent shall notify the Board within seven (7) days if her Board-Approved Supervisor for any reason is unable to perform the duties of a Board-Approved Supervisor.
- (7) 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 five (5) years from the effective date of this Consent Order.

- (8) The Respondent shall comply with the Maryland Social Workers Act and all laws, statutes and regulations pertaining thereto; and it is further

**ORDERED** that after the conclusion of one(!) year of the probationary period, the Respondent may submit a written petition to the Board requesting early termination of her probation. The Respondent must submit proof that she has satisfied the probationary terms and conditions set forth in this Consent Order. The Respondent must also submit proof that she has completed her continuing education requirements under this Consent Order. 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, may grant the termination if the Respondent has fully and satisfactorily complied with all the probationary terms and conditions under this Consent Order and there are no pending complaints; 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 an evidentiary hearing if there is a genuine dispute as to the underlying facts, or an opportunity for a show cause hearing, may impose any sanction which the Board may have imposed in this case, including probationary terms and conditions, a reprimand, suspension, revocation and/or a monetary penalty; and it is further

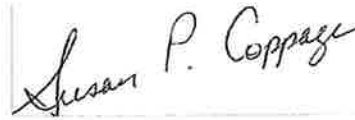
**ORDERED** that the Respondent shall be responsible for all costs incurred in fulfilling the terms and conditions of her probation and this Consent Order; and it is further

**ORDERED** that this Consent Order is a **PUBLIC DOCUMENT** pursuant to Md.  
Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2023 Rep!. Vol.).

02/09/2024

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Date



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Susan Coppage, LCSW-C, Board Chair  
Maryland Board of Social Work Examiners



LISA E. ORENSTEIN, LCSW-C

I, **LISA E. ORENSTEIN, LCSW-C** acknowledge that I have been represented by an attorney before entering into this Consent Order. By this Consent Order and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions. I waive any rights I may have to contest the Findings of Fact and the 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 provided by the law. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I 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, voluntarily and without reservation, after having an opportunity to consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

12/8/23  
Date

  
Lisa E. Orenstein, LCSW-C

Massachusetts  
STATE OF MARYLAND  
CITY/COUNTY OF Berkshire :

NOTARY

I HEREBY CERTIFY that on this 8<sup>th</sup> day of December, 2023 before me, a Notary Public of the State and City/County aforesaid, personally appeared, **LISA E. ORENSTEIN, LCSW-C, License Number: 23344** and declared and affirmed under the penalties of perjury that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESS my hand and Notarial seal.

  
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Notary Public

My Commission expires: 05/19/2028

