

**IN THE MATTER OF**  
**YVETTE D. PHILLIPS, LGSW**  
**Respondent**

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

**LICENSE NUMBER 19758**

**\* Case Number: 2015-2101**

\* \* \* \* \*

**FINAL DECISION AND ORDER**

**I. PROCEDURAL BACKGROUND**

On or about June 26, 2015, the Maryland Board of Social Work Examiners (“the Board”) received a complaint alleging that the Respondent: falsified statements about client visitation; maintained dual employment without authorization; used an unauthorized recording device while in a client case supervision session; inappropriately handled client protected health information; and inappropriately stored client case records. The Board investigated these issues. As a result of that investigation, on February 6, 2018, the Board issued charges under the Maryland Social Workers Act (the “Act”). Md. Code Ann., Health Occupations II (“HO”) §§ 19-101 et seq. The Board charged the Respondent with violation of certain provisions under § 19-311 and Md. Code Regs. Section 10.42.03 (“COMAR”), which in pertinent part states:

§ 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;

(16) Fails to cooperate with a lawful investigation of the Board; [and]

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

### **10.42.03. Responsibilities to Clients**

A. The licensee shall:

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

(a) Is legible;

(b) Accurately reflects the services provided, including treatment plans, treatment goals, and contact notes;

(c) Indicates the time and date the services were provided;

(d) Protects the client's privacy by including only information directly relevant to the delivery of services;

(e) Is sufficient and timely to facilitate the delivery and continuity of services to be delivered in the future;

(f) Is reasonably accessible for the period required in Health General Article, §4-403, Annotated Code of Maryland, after termination of services; and

(g) Ensures that no confidential information is disseminated and identities are protected when computer and internet technologies are used.

B. The licensee may not:

- (1) Participate or condone dishonesty, fraud, deceit, or misrepresentation[.]

On February 6, 2018, the Board provided notice to the Respondent by certified and regular mail of the charges and of the date and time for the case resolution conference ("CRC"). H.O. §19-312(b) and Md. Code Ann., State Gov't §10-207. The certified mail notices were returned to the Board stamped "Return to Sender." The regular mail copy of the notices was not returned. The CRC was canceled due to the inability to confirm the Respondent's attendance. A hearing was scheduled for July 13, 2018 at 2:00 pm. Between March 13, 2018 and March 18, 2018, the Board made six attempts to serve notice of the hearing to the Respondent at her last known address of record, her MVA address, home address and business address.

## II. HEARING BEFORE THE BOARD

On July 13, 2018, the hearing commenced at 2:15 pm. A quorum of the Board was present. Assistant Attorney General Debra Smith, Administrative Prosecutor, was present to represent the State. The Respondent was not present, nor was she represented by counsel in her absence.

### Exhibits and Witnesses

#### State's Exhibits:

1. Charges Under the Maryland Social Work Act, 2/6/18
2. Ruling on Employee's Motion for Summary Decision, 6/20/17
3. Letter from Georgina Irondi to Social Work Board, 6/22/15

4. Investigative Report, 11/16/16
5. Letter from Board to Georgina Irondi, 6/26/15
6. Subpoena Duces Tecum, 9/15/16
7. Letter from AAG Stephanie Lewis to Garcia Gilmore, 9/22/16
8. Cover letter and Respondent's Personnel file, 10/7/16
9. Subpoena Duces Tecum, 10/5/16
10. Letter from Garcia Gilmore to For the Record, 10/12/16
11. Transcript of Interview with Georgina Irondi, 10/12/16
12. Subpoena Ad Testificandum, 9/23/16
13. Email from Garcia Gilmore to Respondent, 9/27/18
14. Email from Garcia Gilmore to Respondent, 10/4/16
15. Letter from Garcia Gilmore to Respondent, 10/5/16
16. Subpoena Ad Testificandum, 10/5/16
17. Email from Garcia Gilmore to Respondent, 11/10/16
18. License Verification Printout-Maryland
19. Copies of Delivery Attempts made to Respondent's addresses of record
20. License Verification Printout – DC
21. License Verification Printout – Delaware
22. Respondent's MVA Driving Record Information Printout
23. Legal Papers, Inc. Invoice, 3/15/18

State's Witnesses:

1. Garcia Gilmore
2. Georgina M. Irondi

A full evidentiary hearing was held. Ms. Smith presented the State's case. Exhibits 1 – 23 were admitted into evidence and the testimony of two witnesses was entered into the record. The hearing was uncontested due to the Respondent's failure to appear; therefore, the facts were not in controversy.

### **III. FINDINGS OF FACT**

The Board makes the following findings of fact based upon the entirety of the record:

1. At all times relevant, the Respondent was licensed to practice social work in the State of Maryland. The Respondent was initially licensed as a licensed graduate social worker on March 24, 2014, and her license expires on October 31, 2018.

2. At all times relevant, the Respondent was employed as a social worker with a county social services agency ("Facility A")<sup>1</sup> in Maryland. The Respondent began her employment at Facility A in 2005 as a "Caseworker Specialist Family Services." The Respondent was transferred to the Adult Protective Services unit in February 2012.

3. The Respondent's job duties included case management for older and disabled adults.

4. On or about June 26, 2015, the Board received a Complaint from the Respondent's supervisor at Facility A ("Complainant"). The Complainant alleged that the Respondent provided false information by claiming she visited clients that she had not visited, and including information regarding client visits in her client notes that were not consistent with her verbal statements regarding the dates she allegedly visited certain clients.

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<sup>1</sup> To ensure confidentiality, the names of individuals, hospitals and health care facilities are not disclosed in these charges. The Respondent may obtain the identity of the referenced individuals and entities by contacting the assigned administrative prosecutor.

5. The Board initiated an investigation after receiving the Complaint.

6. In furtherance of its investigation the Board interviewed the Complainant, and issued a subpoena for, administrative, client and personnel records.

7. According to the Complainant, on April 14, 2015, the Respondent did not report to her duty station. The Complainant left a message on the Respondent's voice mail and requested a return call. The Respondent returned the call and claimed that she was visiting clients and later provided the names of clients she allegedly visited.

8. The Respondent falsely reported on her time sheet that she worked on April 14, 2015.

9. The Complainant contacted the clients and service providers who provided written statements confirming that the Respondent did not make client visits on April 14, 2015.

10. The Complainant provided these statements to the Board investigator.

11. The Complainant alleges that later the Respondent included false information regarding these client visits in her contact notes.

12. The Complainant also reported that the Respondent left unsecured confidential client files on her desk.

13. The Respondent received a counseling memorandum for unprofessional conduct on July 8, 2014, for engaging in rude and disrespectful conduct with a supervisor.

14. The Respondent received another counseling memorandum for unprofessional conduct on May 4, 2015.

15. The Respondent was terminated on May 14, 2015, for providing false information to her supervisor, and including false information in contact notes regarding client visits that she did not make.

16. The Complainant reported that the Respondent tape recorded a case supervision meeting, where client confidential information was discussed, without the knowledge or permission of the Complainant.

17. The Respondent maintained dual employment with another partner human resources agency while she was employed with Facility A without notifying Facility A of this dual employment.

18. The Board investigator issued a subpoena for the Respondent to appear at the Board to be interviewed about the allegations in the Complaint.

19. The Respondent called the Board on or about September 27, 2016, in response to the subpoena, but failed to appear at interviews scheduled on October 3, 2016 and October 13, 2016. Both subpoenas were returned to the Board unclaimed.

20. The Respondent's behavior in whole or in part constitutes: committing an act of gross negligence, incompetence, or misconduct in the practice of social work, in violation of Health Occ. II § 19-311(4); engaging in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work, in violation of § 19-311(5); violating any provision of this title or regulations governing the practice of social work adopted and published by the Board, in violation of § 19-311(6); fails to cooperate with a lawful investigation conducted by the Board in violation of § 19-311(16); and failing to maintain adequate patient records, in violation

of § 19-311(20). The Respondent's behavior in whole or in part constitutes a violation of the record-keeping requirements of COMAR 10.42.03.03A (5) (a-g); and B (1).

#### IV. DISCUSSION

Pursuant to section 19-311 of the Act, the Board may reprimand any licensee, place any licensee on probation, or suspend or revoke the license of a licensee if the Board finds, by a preponderance of the evidence, that the licensee committed an act of misconduct, that the conduct is inconsistent with generally accepted professional standards in the practice of social work, including failing to maintain adequate documents and failing to cooperate with a lawful investigation by the Board. See H.O. § 19-311.

The uncontested evidence before the Board was that the Respondent violated pertinent provisions of the Act and COMAR as set forth in H.O. § 19-311 (4), (5), (6), (16), (20), as well as COMAR 10.42.03 by engaging in misconduct during the course of her employment at the county social services agency.

The Board finds that the Respondent's violations of the Practice Act most appropriately fall within A(4), (5), (6), (16), and (20) of the Board's sanctioning guidelines. See COMAR 10.42.09.04A(4), (5), (6), (17), and (20). The range of potential sanctions under these provisions includes reprimand to revocation and/or a minimum fine of \$100 to a maximum fine of \$5,000. Based upon the particular facts and circumstances of this case, the Board finds the Respondent exhibited a blatant disregard for the professional standards governing the practice of social work. The Respondent's actions by falsifying her time sheet, maintaining dual employment, disrespecting her supervisor, secretly recording a meeting where confidential client



information was discussed, displaying rude and disrespectful conduct towards her supervisor, falsifying client records, providing false information to her employer, failing to secure confidential client files and failing to cooperate with the Board's investigation demonstrates a pattern of behavior that is not aligned with the law and regulations governing the minimum acceptable practice standards within the social work profession.

Thus, in considering an appropriate sanction for the Respondent's license, the Board found the Respondent's conduct to warrant the revocation of her license to practice social work in the State of Maryland. The Board finds that the Respondent's demonstrated disregard for professional conduct affects her ability to render safe and appropriate services to clients. Furthermore, the Respondent's disregard for the statutes and regulations in place to ensure services are rendered safely and properly makes her unfit to practice as a licensed social worker. Therefore, the Board finds that the Respondent has lost the Board's and the public's confidence to maintain licensure as a licensed graduate (master) social worker in the State of Maryland.

#### **V. CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Md. Code Ann., Health Occ. H.O. § 19-311 (4), (5), (6), (16), (20), as well as COMAR 10.42.03:

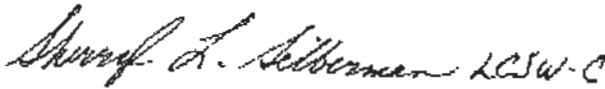
#### **VI. ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

**ORDERED** that the Respondent's license to practice as a licensed graduate (master) social worker in the State of Maryland, license number **19758**, is hereby **REVOKED**; and it is further

**ORDERED** that this Order is a **PUBLIC DOCUMENT** under Md. Code Ann., State Gov't § 10-617(h) (2009 Repl. Vol.).

8/15/2018  
Date



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Sherryl Silberman, LCSW-C  
Board Chair,  
Maryland Board of Social Work Examiners

**NOTICE OF APPEAL RIGHTS**

Any person aggrieved by a final decision of the Board under Md. Code Ann., Health Occ. §§ 19-311 may take a direct judicial appeal within thirty (30) days as provided by Md. Code Ann., Health Occ. § 19-313, Md. Code Ann., State Gov't § 10-222, and Title 7, Chapter 200 of the Maryland Rules, including Md. Rule 7-203 ("Time for Filing Action").