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Board of Social Work Examiners

IN THE MATTER OF * BEFORE THE MARYLAND
KHAMEELAH L. TOMLIN, LCSW-C * BOARD OF SOCIAL WORK
RESPONDENT * EXAMINERS
LICENSE NUMBER: 23514 * CASE NUMBER: 21-2952

* * * * *

CONSENT ORDER

The Maryland Board of Social Work Examiners (the “Board”) charged **Khameelah L. Tomlin, LCSW-C**, License Number: **23514** (the “Respondent”), under the Maryland Social Workers Practice Act (the “Act”), Md. Code Ann., Health Occupations (“Heath. Occ.”) §§ 19-101 *et seq.* (2021 Repl. Vol. & 2022 Supp.). Specifically, 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.

A. The licensee shall:

.....

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

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

B. The licensee may not:

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

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[.]

FINDING OF FACT

1. The Respondent was originally licensed to practice as a licensed master social worker (LMSW) in Maryland on or about December 21, 2017.

2. The Respondent was licensed to practice as a licensed clinical social worker (LCSW-C) in Maryland on or about June 24, 2020. The Respondent’s LCSW-C license expires on October 31, 2022.

3. At all times relevant hereto, the Respondent was employed as a social worker at a facility (the “Facility”) located in Maryland. The Facility provides a variety of mental health and substance abuse services to clients.¹

4. The Respondent started employment at the Facility on or about December 8, 2017. The Respondent was terminated by Facility staff in March 2021.

5. At all times relevant hereto, the Respondent provided individual and family outpatient therapy to Facility clients.

6. On or about March 23, 2021, the Board received a complaint from the Assistant Clinical Director for the Facility (the “Complainant”). The Complainant alleged that the Respondent documented in a client’s records that she conducted therapy sessions with a Facility client (“Client A”) when in fact, the Respondent never met with the Client A.

7. At all times relevant hereto, the Respondent provided individual therapy to a Client A, a minor child.

8. Facility policy requires that a parent or an adult guardian be present during all therapy sessions with a minor. Facility policy also requires that the therapist maintain a verification log.²

9. An investigation by the Board revealed the following:

¹ The names of the Facility, Facility staff members, Therapist A, Therapist B, Client A and Client B have been omitted to protect privacy.

² Verification logs are used by the Facility to verify that a parent/guardian of a minor client is present when a therapist conducts a therapy session with that client. At the end of the therapy session with the minor client, the Facility provider has the parent/guardian sign the Verification Log to acknowledge their presence during the therapy session. This Verification Log is maintained by the Facility Provider during the regular course of business.

- a. On or about February 26, 2021, the mother of two Facility clients, one seen by the Respondent and the other by Therapist B, informed Therapist B that she wanted a new therapist for Client A. Client A's mother told Therapist B that she wanted to change Client A's therapist because she and/or Client A had not been seen by the Respondent either in person or by Telehealth since November 2020. Therapist B immediately informed the Chief Executive Officer at the Facility what Client A's mother had told her.
- b. After being notified of the allegation that the Respondent had not seen Client A or their mother for therapy since November 2020, Facility staff conducted a review of Client A's patient records for the period between December 2020 and February 2021.
- c. A review of the Client A's patient records indicated that the Respondent met with Client A and their mother on two occasions in December 2020, two occasions in January 2021, and two occasions in February 2021. A note in the Client A's patient records revealed that the Respondent conducted an in-person therapy session with Client A and their mother on February 19, 2021.
- d. A review by Facility staff of Client A's patient records for the period between December 2020 and February 2021 also revealed that the Respondent cut and pasted the same comments and quotes from previous sessions during this time frame.
- e. A review of Client A's patient records further revealed that there was no treatment plan signed by Client A's mother. There was also no documentation and/or verification log in Client A's patient records signed by the Client A's parent/guardian showing that Client A and their parent/guardian had met with the Respondent between December 2020 and February 2021.
- f. Following the review of Client A's patient records a Facility staff member spoke with Client A's mother. Client A's mother was adamant that she and Client A had not seen the Respondent since November 2020.
- g. After speaking with Client A's mother, the Respondent was asked by Facility staff to provide them with the verification log for February 19, 2021, a date in the Client's patient records that the Respondent indicated that she conducted an in-person

therapy session with Client A. The Respondent submitted a signed verification log, but the Facility could not ascertain who signed the log.

- h. One or about March 3, 2021, Facility staff members met to discuss the discrepancies found during the review of Client A's patient records and to determine who had signed the verification log on February 19, 2021. The Respondent told Facility staff member that the verification log had been signed by Client B, who is also a minor because the sibling was easier to deal with. Subsequently, Client A's sibling was contacted by Facility staff to ascertain if she had met with the Respondent and signed the verification log. Client A's sister told Facility staff that she has not met Respondent and had not signed a verification log.³
- i. On or about March 3, 2021, Facility staff met with the Respondent. During this meeting, the Respondent insisted that she had seen Client A and their mother between December 20 and February 2021. The Respondent told Facility staff that it was her word against Client A's mother. The Respondent also could not explain why her notes in the Client A's patient records had been cut and pasted from previous therapy sessions with the client.

10. During a September 26, 2019, interview conducted by Board staff, the Respondent declined to answer questions from Board staff regarding the allegation contained in the complaint submitted to the Board by Facility staff.

11. 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 A(5)(b) and B(1); and COMAR 10.42.03.06 A(7).

³ Client B, is the sibling of Client A. Client B received individual therapy from Therapist B.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Health Occ. §19-311 (4), (5), (6), and (20) COMAR 10.43.03.A(5)(b) and B(1) and COMAR 10.43.03.06 A(7).

ORDER

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

ORDERED that the Respondent license to practice social work shall be **SUSPENDED for a period of one (1) year, said suspension shall be STAYED**; and it is further

ORDER the Respondent shall be placed on **PROBATION for a minimum 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 Board-approved Private Practice Administration course that be for three (3) continuing education credit(s) and a Documentation course that shall be for (3) continuing education credits. Both courses must be either in-person, or via live webinar. Promptly after the completion of the courses outlined in this paragraph, the Respondent shall provide documentation that she has completed this requirement. The continuing education credit(s) required in this Consent Order shall be in addition to any course required to satisfy the continuing education requirements for the applicable 2-year licensure renewal period.
- (2) The Respondent shall provide the name and contact information for her current employer. The Respondent shall also provide the Board with her duties at her place of employment. The Respondent shall provide the Board Approved Supervisor and her current employer with a signed copy of the

Final Consent Order. The Respondent shall submit the requested information to the Board within fourteen (14) days of the date of this Order. The Respondent shall also submit written proof of both the Board Approved Supervisor's and her current employer(s)' receipt of the Final Consent Order to the Board within 14 days of this Order.

- (3) The Respondent shall meet with a Board Approved Supervisor at least once per month and provide the Board Approved Supervisor with a copy of this Consent Order
- (4) The Respondent shall ensure that the Board Approve Supervisor submits quarterly to the Board during the of her probationary period.
- (5) Within **one year** from the date of this Consent Order, the Respondent shall pay a fine in the amount of **ONE THOUSAND DOLLARS (\$1000)** by certified check or money order to the Maryland Board of Social Work Examiners.
- (6) The Respondent shall comply with the Maryland Social Workers Act and all laws, statutes and regulations pertaining thereto; 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 five (5) years from the effective date of this Consent Order; and it is further.

ORDERED that after the conclusion of the two-year 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 condition set forth in this Consent Order. The Respondent must also submit proof that

she has completed her continuing education requirements. 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 and there are no pending complaints; and it is further

ORDERED that if the Respondent violates any term or condition 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 effective date of this Consent Order is the dated that it is signed by the Board; 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 & 4-333*et seq.* (2021 Repl. Vol. & 2022 Supp.).

2/16/2023

Date




Sondra Petty, LCSW-C, LICSW
Board Chair
Maryland Board of Social Work Examiners

KHAMEELAH L. TOMLIN, LCSW-C

I, **KHAMEELAH L. TOMLIN, 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.

2-7-23

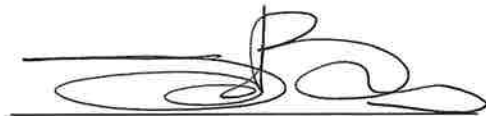
Date


Khameelah L. Tomlin, LSWC-C

NOTARY

I HEREBY CERTIFY that on this 07 day of Feb, 2023
before me, a Notary Public of the State and City/County aforesaid, personally appeared,
KHAMEELAH L. TOMLIN, LCSW-C, LICENSE NUMBER: 23514 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.



Notary Public

My Commission expires: 10-31-2026

