IN THE MATTER OF	*	**BEFORE THE STATE**
DAVID M. TOPLIN, LCSW-C	*	**BOARD OF SOCIAL WORK**
RESPONDENT	*	**EXAMINERS**
LICENSE NUMBER: 16674	*	**CASE NUMBER: 2018-2551**

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ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. Code Ann., State Govt. §10-226 (c)(2) (2014 Repl. Vol. & 2018 Supp.), the State Board of Social Work Examiners (the "Board") hereby summarily suspends the license of David M. Toplin, LCSW-C, License Number: 16674 (the "Respondent"), to practice social work, under the Maryland Social Workers Act (the "Act"), Md. Code Ann., Health Occ. ("Health. Occ.") §§ 18-101 *et seq.* (2014 Repl. Vol. & 2018 Supp.). This Order is based on the following investigative findings, which the Board has reason to believe are true:[1]

INVESTIGATIVE FINDINGS

1. At all times relevant hereto, the Respondent was licensed to practice social work in the State of Maryland.

2. The Respondent was originally issued a license to practice social work in Maryland on or about January 6, 2011.

3. The Respondent's license expires on October 31, 2019.

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[1] The statements regarding the Respondent's conduct are only intended to provide the Respondent with notice of the basis for the Board's action. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in this matter.

4. At all times relevant hereto, the Respondent owned and operated a facility, ("Facility A") that provided counseling services to children, adults, senior, couples, and families. [2]

5. On or about September 7, 2018, the Board received a complaint regarding the Respondent's conduct during therapy sessions with a patient (Patient A). [3]

6. The compliant alleged that the Respondent displayed inappropriate behavior towards Patient A during therapy sessions.

7. An investigation conducted by Board staff revealed the following:

8. On or about April 11, 2018, Patient A, a 34-year-old female, began therapy sessions with the Respondent.

9. During her initial therapy session with the Respondent, Patient A told the Respondent that she had been sexually molested as a child by a family friend. She also told the Respondent that she was a victim of domestic violence. They also discussed Patient A's self-esteem, problems she was having with family members, and parenting issues.

10. Following her initial therapy session, Patient A saw the Respondent approximate two times per week. Most of the therapy sessions were used to provide methods for improving Patient A's self-esteem and personal relationships.

11. The Respondent indicated in psychotherapy progress notes that Patient A was experiencing significant dysphoria, crying spells and isolation. He also indicated in

[2] The name of Facility A has been omitted to protect confidentiality but may be disclosed to the Respondent upon request to the Administrative Prosecutor.
[3] The name of Patient A has been omitted to protect confidentiality but may be disclosed to the Respondent upon request to the Administrative Prosecutor.

in the notes that the focus would be on the sexual assault and emotional issues that patient A was experiencing.

12. During therapy sessions, the Respondent asked Patient A to stand up while he visually examined her from head to foot and commented on her personal appearance. The Respondent told Patient A that she was beautiful and that there was nothing wrong with her.

13. During a therapy session, the Respondent became visibly angry with Patient A when she told him that she had reunited with a boyfriend. The Respondent proceeded to call Patient A's boyfriend a derogatory name. When Patient A began crying, the Respondent came over to her and began holding her hands and touching her legs.

14. The Respondent often touched Patient A's hands and/or legs when she cried or got emotional during therapy sessions.

15. During therapy sessions, the Respondent also discussed with Patient A his knowledge of other therapists having sex with clients. He told Patient A that he was often offered sex by female inmates when he worked at a prison.

16. On or about August 23, 2018, Patient had her final therapy session with the Respondent.

17. During Patient A's final therapy session, the Respondent commented on Patient A's appearance, including making comments about her buttocks and telling her that would not mind grabbing it. The Respondent also told Patient A that he was attracted to her. Patient A left the therapy feeling uncomfortable and betrayed. Subsequently, Patient A terminated therapy with the Respondent.

18. On February 27, 2019, the Respondent was interviewed by a Board investigator. The Respondent admitted under oath was physically attracted to Patient A. He also admitted that he discussed with Patient A his physical attraction to her.

CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, the Board concludes that the public health, safety, or welfare imperatively requires emergency action in this case, pursuant to Md. Code Ann., State Gov't. § 10-226(c) (2).

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is this 12th day of April 2019, by a majority of the Board, it is hereby

ORDERED that the license issued to the Respondent to practice social work in the State of Maryland under license number: 16674 is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that the Respondent shall immediately return all licenses to the Board; and it is further

ORDERED that this Order for Summary Suspension is a public document, as defined in Md. Code Ann., General Provisions §§ 4-101 *et seq.* (2014 Rep. Vol. & 2018 Supp.)

Sherryl L. Silberman LCSW-C

4/12/2019
Date

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