

IN THE MATTER OF	*	BEFORE THE STATE
JEREMY WIENER, LGSW	*	BOARD OF SOCIAL WORK
Respondent	*	EXAMINERS
License Number: 18189	*	Case No. 14-2021
* * * * *	*	* * * * *

CONSENT ORDER

On April 21, 2015 the Maryland Board of Social Work Examiners ("the Board") issued a "Notice of Charges under the Maryland Social Work Act" (the "Charges") to **JEREMY WIENER, LGSW(the "Respondent") license number 18189**, based on alleged violations of the Maryland Social Work Examiners Act ("the Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 19-101 *et seq.* (2014 Repl. Vol.).

Based upon the allegations made in the Complaint and the Board' investigation, the Board charged the Respondent under the following provisions of H.O. § 19-311:

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;

(9) Is disciplined by a licensing or disciplinary authority of any state, country, or branch of the armed services, or the Veterans' Administration for an act that would be grounds for disciplinary action under this section; to wit:

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

BACKGROUND

On May 4, 2015, the Respondent appeared before members of the Board and the Board's counsel for a Case Resolution Conference (CRC) to discuss the potential

resolution of the Charges by consent. At the conclusion of the CRC, the Respondent agreed to enter into this Consent Order to resolve the pending charges and to avoid the expense and time of proceeding to an administrative hearing. The Respondent and the Board agreed to the inclusion of Findings of Fact and Conclusions of Law as required by the Board, and with the terms and conditions set forth herein.

FINDINGS OF FACT

The Board finds the following:

1. The Respondent was initially licensed to practice as a licensed graduate social worker ("LGSW") on June 26, 2012. His license is currently active and is scheduled to expire on October 31, 2016. The Respondent is also licensed to practice social work as an LGSW in the District of Columbia ("D.C.")

2. On or about October 21, 2014, the Board received the electronic submission of the Respondent's Application for Renewal of LGSW-Graduate ("renewal application").

3. The Respondent answered "yes" to the following character and fitness question on the renewal application:

2. Within the last two years, has any State Licensing or Disciplinary Board, or a comparable body in the Armed Services denied your application for licensure, reinstatement, renewal, or taken any action against your license, including but not limited to reprimand, suspension , or revocation?

4. The Respondent disclosed the following to explain his affirmative response: "In June 2014 I was found by the DC Board of Social Workers to be operating beyond my license (LGSW) level. I was suspended for two weeks, took 3 ethics CEU's, and placed on 18 month probation."

5. Thereafter the Board initiated an investigation.

6. The Board's investigation revealed that on or about January 31, 2014, the D.C. Board of Social Work ("D.C. Board") issued a Notice of Intent to Take Disciplinary Action ("the Notice") against the Respondent's D.C. social work license under the D.C. Official Code § 3-1201.1 *ff.* (2012 Repl.), otherwise known as the Health Occupations Revision Act ("HORA").

7. The Notice charged the Respondent with four violations related to him practicing social work outside the scope of his licensure from February 2013 until at least May 2013. During that time period, the Respondent established an independent social work practice and worked as an independent contractor. The Respondent performed, offered or attempted to perform social work services for six patients and received a percentage of the money paid by those clients. The Respondent also advertised his practice on a business website, on which he stated that he was "well-versed in cognitive-behavioral therapy and transpersonal therapy, " and that he helped people with depression, anxiety, and post-traumatic stress disorder. The Respondent was not under the supervision of a Licensed Clinical Social Worker at this time.

8. On or about June 3, 2014, the Respondent and the D.C. Board entered into a Consent Order to resolve the charges raised in the Notice. Under the Consent Order, the Respondent's D.C. license was suspended for at least 15 days. During the period of suspension, the Respondent was required to complete three continuing education credits in a live, face-to-face ethics course. The Respondent was also placed on probation for at least one year and six months, during which time his employer must

submit quarterly reports to the D.C. Board to confirm that the Respondent is practicing under the required level of supervision.

9. By an Order Lifting Suspension and Placing License on Probation Status, dated June 19, 2014, the D.C. Board lifted the suspension¹ of the Respondent's license and placed his license on probation.

10. The Respondent remains on probation in D.C.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concluded that, if proven true, the factual allegations would support a finding as a matter of law that the Respondent violated H.O. § 19-311(9) to wit (6).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the agreed upon terms of the resolution of the Charges by consent at the CRC, on this __8th__ day of __May_____, 2015, by a majority of the full authorized membership of the Board considering this case, it is hereby

ORDERED that the Respondent's license to practice social work in the State of Maryland is **REPRIMANDED**; and it is further

ORDERED that the Respondent shall be placed on Board-supervised probation until he has fully and satisfactorily complied with the probation requirements under the D.C. Board. The Respondent's probation shall be subject to the following terms and conditions:

¹ The Respondent's license was suspended from June 3, 2014 through June 18, 2014.

1. The Respondent's status as a licensed graduate social worker will be listed in the Board's computer records and website as being on "Probation";

2. During the probationary period, the Respondent shall cause his employer to furnish the Board with copies of the quarterly reports that are required under the D.C. Order to confirm that the Respondent is practicing under the required level of supervision. Failure to provide a quarterly report or an unsatisfactory quarterly report constitute a violation of this Consent Order;

3. The 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 after the Respondent successfully completes his probation under the supervision of the D.C. Board and the D.C. Board terminates his probation, 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 Probation and 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. State Gov't Code Ann. §§ 10-611 et seq. (2014 Repl. Vol.), and is reportable to any entity to which the Board is obligated to report.



5/8/2015
Date

Mark Lannon, LCSW-C, Board Chair
State Board of Social Work Examiners

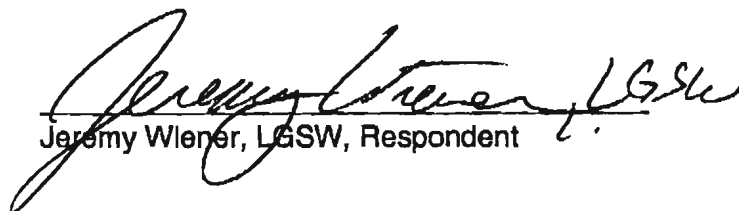
CONSENT

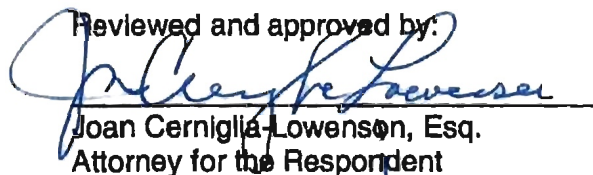
I, Jeremy Wiener, LGSW, acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions 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.

05 MAY 15
Date


Jeremy Wiener, LGSW, Respondent

Reviewed and approved by:

Joan Cerniglia-Lowenson, Esq.
Attorney for the Respondent