

IN THE MATTER OF	*	BEFORE THE
MICHAEL GEORGE KRAMER, LCSW-C	*	STATE BOARD
RESPONDENT	*	OF SOCIAL WORK EXAMINERS
LICENSE NUMBER: 10400	*	CASE NUMBER: 2016-2210

* * * * *

CONSENT ORDER

On August 12, 2016, the State Board of Social Work Examiners (the "Board") charged **Michael George Kramer, LCSW-C** (the "Respondent"), License Number 10400, with violating the Maryland Social Workers Act (the "Act") Md. Code Ann., Health Occ. II ("Health Occ. II") §§ 19-101 *et seq.* (2014 Repl. Vol.).

The pertinent provision of the Act under Health Occ. II § 19-311 provides the following:

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[.]

The underlying grounds for disciplinary action under Health Occ. II § 19-311 were:

- (1) Obtained or attempted to obtain a license for the applicant or licensee or for another through fraud, deceit, or misrepresentation;
- (2) Fraudulently or deceptively uses a license;
- ...

- (4) Commits any act of gross negligence, incompetence, or misconduct in the practice of social work¹;
...
- (11) Makes or files a false report or record in the practice of social work[.]

FINDINGS OF FACT

The Board makes the following findings of fact:

I. Factual Background

Maryland License

1. At all times relevant hereto, Respondent was and is licensed to practice as a certified social worker-clinical ("LCSW-C") in Maryland. Respondent was originally licensed to practice as an LCSW in the State of Maryland on August 11, 1999, having been issued license number 10400 ("Maryland License").² Respondent last renewed his license on July 31, 2013, which expired on October 31, 2015.

2. On March 9, 2016, the Board received Respondent's Application for Reactivation or Reinstatement (the "Maryland Application") of Respondent's license.

3. On March 10, 2016, the Board reactivated Respondent's license. Respondent's license will expire on October 31, 2017.

Pennsylvania License

4. Respondent was originally licensed to practice as a social worker ("LSW")³ in Pennsylvania by the State Board of Social Workers, Marriage and Family Therapists

¹ The Board subsequently dismissed the charge under Health Occ. II § 19-311(4).

² Respondent subsequently became licensed as an LCSW-C.

³ An LSW is distinct from a clinical social worker ("LCSW") in Pennsylvania in that an LSW only requires a master's level degree in social work and a master's level examination taken through the Association of Social Work Boards. An LCSW in Pennsylvania, on the other hand, requires (in addition to the LSW requirements) 3,000 hours of supervised clinical work and passage of a clinical level examination.

and Professional Counselors (the "Pennsylvania Board") on August 11, 1993.

5. Respondent was licensed to practice as a clinical social worker ("LCSW") in Pennsylvania by the Pennsylvania Board on February 20, 2015. Respondent's Pennsylvania license will expire on February 28, 2017.

II. Complaint

6. On or about March 2016, the Certification and Licensing Unit of the Board reviewed Respondent's Maryland Application.

7. On the Maryland Application, Respondent answered "yes" to the question:

[h]as 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?

8. Respondent attached an explanation to his "yes" response as follows:

I am currently under a Consent Order in the Commonwealth of Pennsylvania with my LCSW on probationary status until 8/9/2016. The Consent Order is a matter of public record. I had used the LCSW signature in lieu of the LSW believing that was the license that I had renewed when I returned to work in Pennsylvania. And I had misrepresented the number of CEU (sic), including those from the Ph.D. program from Fordham's School of Social Service. I rectified this immediately, but the Board felt that I was being deceptive. I was fined and had to complete 10 extra ethics CEU's.

9. The Board opened the case for investigation based on Respondent having been disciplined in Pennsylvania for acts that would be grounds for disciplinary action in Maryland.

III. Case Specific Findings

10. On May 6, 2016, Respondent telephoned the Board regarding the status of his Maryland Application. Following a telephone conversation with Board staff,

Respondent telefaxed to the Board several documents relating to the disciplinary action taken against him in Pennsylvania.

11. Thereafter, the Board requested and received copies of the following documents from the Pennsylvania Board:

- a. Consent Agreement and Order, with attached exhibits, January 26, 2015; and
- b. Order, approving and adopting the Consent Agreement, February 24, 2015.

12. On January 26, 2015, Respondent and his counsel signed the Consent Agreement; and on January 28, 2015, the prosecuting attorney signed the Consent Agreement.

13. On February 24, 2015, the Pennsylvania Board and the Pennsylvania Bureau of Professional and Occupational Affairs approved and adopted the Consent Agreement through a signed Order. In the Consent Agreement, as approved and adopted by the Pennsylvania Board, the parties agreed that Respondent had violated the Social Workers, Marriage and Family therapists and Professional Counselors Act (the "Pennsylvania Act") based on his having:

- a. Submitted altered continuing education hours certificates; and
- b. Signed documentation as an LCSW when he was not licensed in that capacity.

14. The agreed facts are as follows:

Submission of Altered Continuing Education Hours Certificate

- a. On or about January 15, 2013, Respondent submitted an LSW Reactivation Application to the Pennsylvania Board. Respondent submitted along with the LSW Reactivation Application an "altered certificate", which indicates the continuing education course hours

("CE hours") completed by Respondent at Psychotherapy Networker in order to satisfy the Pennsylvania Board's CE hour requirements for the biennial renewal period.

- b. The Altered Certificate appeared to indicate that Respondent completed sixteen (16) CE hours at Psychotherapy Networker between "March 22, 2012 and March 25, 2012.
- c. On or about February 5, 2013, the Pennsylvania Board requested that Respondent provide additional documentation regarding the CE hours earned at Psychotherapy Networker because the certificates appeared to have been altered.
- d. On or about February 19, 2013, Respondent resubmitted his LSW Reactivation Application with the requested additional documentation.
- e. On February 21, 2013, the Pennsylvania Board determined that the additional information was not acceptable and sent Respondent a "discrepancy letter" detailing these concerns. On or about June 21, 2013, Respondent again resubmitted his LSW Reactivation Application. Respondent attached to this Reactivation Application a copy of the Original Certificate from the Psychotherapy Network. The Psychotherapy Networker Certificate now indicated Respondent only completed a total of six (6) CE hours from the program, as opposed to the Certificate submitted with Respondent's first LSW Reactivation Application, which indicated that Respondent earned sixteen (16) CE hours from the program. The Certificate originally submitted with Respondent's LSW Reactivation Application, was altered.
- f. Respondent altered the certificate by showing that on Friday, March 23, 2013, ten (10) CE hours were completed instead of zero (0), the total number was changed to show sixteen (16) CE hours instead of six (6) and the CE hours for a particular course were changed to reflect twelve (12) hours instead of two (2).
- g. On or about May 20, 2014, Respondent submitted an application to the Pennsylvania Board for licensure as a clinical social worker.
- h. On October 1, 2014, the Pennsylvania Board informed Respondent that his application for licensure as a clinical social worker was "provisionally denied."

Fraudulently signed Documents as a Clinical Social Worker without a License to Practice as a Clinical Social Worker in Pennsylvania

- a. On or about April 30, 2014, the Pennsylvania Board received a Verification of Supervised Clinical Experience form completed by Respondent on behalf of an individual completing an application for licensure before the Pennsylvania Board.
- b. Respondent signed the Verification of Supervised Clinical Experience form with the letters "LCSW" in connection with his name. However, Respondent only held a license to practice as a LSW in Pennsylvania; he did not hold a license to practice clinical social work in Pennsylvania at the time.

15. On February 24, 2015, the Pennsylvania Board and the Pennsylvania Bureau of Professional and Occupational Affairs signed an Order incorporating the conclusions that Respondent violated the Pennsylvania Act as follows:

- a. Section 11(a)(4), 63 P.S. § 1911(a)(4)(presenting false documents in support of application for a license);
- b. Section 11(a)(5), 63 P.S. § 1911(a)(5)(submitting false and deceptive biennial renewal to the Board);
- c. Section 11(a)(3), 63 P.S. § 1911(a)(3)(fails to complete the thirty (30) required hours of continuing education for the biennial renewal period); and
- d. Section 16.1, 63 P.S. § 1916.1(holds oneself out as a licensed clinical social worker without a license to practice as a licensed clinical social worker).

16. The Order also adopted and incorporated the terms and conditions suggested in the "Proposed Order" section of the Consent Agreement.

17. The specific terms and conditions of the Consent Agreement are as follows:

- a. Payment of a civil penalty of two thousand dollars (\$2,000);

- b. Suspension of license to practice as an LSW for eighteen (18) months;
- c. Suspension is immediately stayed and placed on probation; and
- d. Completion of at least ten (10) additional hours of remedial education on the topic of ethics.

18. Subject to the above stated terms and conditions of the Consent Agreement, the Pennsylvania Board also agreed to grant Respondent a Clinical Social Work License upon Respondent's agreement to the Consent Agreement.

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes as a matter of law that Respondent violated Health Occ. II §19-311(9)(discipline by a licensing authority of any state for acts that would be grounds for disciplinary action under Health Occ. II §19-311), with the underlying grounds under Health Occ. II §§ 19-311(1)(attempts to obtain license by fraud, deceit, or misrepresentation), (2)(fraudulently or deceptively uses a license), and (11)(makes or files a false report or record). The Board dismisses the charge under Health Occ. II §19-311(4)(commits act of gross negligence, misconduct, or incompetence).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 19th day of December, 2016, by a majority of the full authorized membership of the Board considering this case:

ORDERED that Respondent shall comply with the following terms and conditions:

1. Within three (3) months from the date of this Consent Order, Respondent shall enroll in and within six (6) months shall successfully complete a one-on-one ethics tutorial consisting of a two hour assessment followed by additional sessions and exercises as recommended by a Board-approved ethics tutor;
2. Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order;
3. Respondent shall comply with the Maryland Social Work Act, Md. Code Ann., Health Occ. §§ 19-101 through 502, and all laws and regulations governing the practice of social work in Maryland; and
4. If the Board determines, after notice and an opportunity for a hearing before an Administrative Law Judge of the Office of Administrative Hearings if there is a genuine dispute as to a material fact or a show cause hearing before the Board if there is no genuine dispute as to a material fact, that Respondent has failed to comply with any term or condition of this Consent Order, the Board may reprimand Respondent, place Respondent on probation with appropriate terms and conditions, or suspend or revoke Respondent's license to practice social work in Maryland. The Board may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon Respondent; and it is further

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

ORDERED that the Consent Order is a public document pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 & 2015 Supp.).



12/19/2016
Date

Denise Capaci, LCSW-C, Board Chair
State Board of Social Work Examiners

CONSENT

I, Michael George Kramer, LCSW-C, License No. 10400, by affixing my signature hereto, acknowledge that:

1. I have consulted with counsel Connor Mullin, Esquire, and Jeffrey J. Pargament, Esquire, and knowingly and voluntarily elect to enter into this Consent Order. By this Consent 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.
2. I am aware that I am entitled to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. II § 19-312 (2014 Repl. Vol.) and Md. Code Ann., State Gov't II §§ 10-201 *et seq.* (2014 Repl. Vol.).
3. I acknowledge the validity and enforceability of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have 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 am waiving those procedural and substantive protections.
4. I voluntarily enter into and agree to abide by the terms and conditions set forth herein as a resolution of the pending Charges against me. I waive any right to contest the Findings of Fact and Conclusions of Law and I waive my right to a full evidentiary hearing, as set forth above, and my right to appeal any adverse ruling of a disciplinary panel of the Board that might have followed any such hearing, and any right to appeal this Consent Order.
5. I sign this Consent Order voluntarily, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

12/16/2016
Date

Michael George Kramer
Michael George Kramer, LCSW-C
Respondent

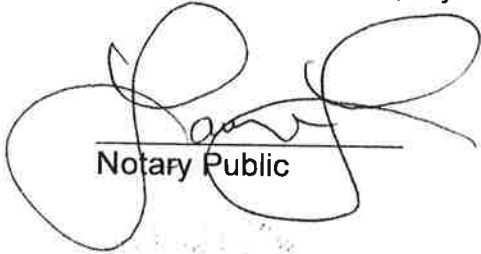
NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Prince Georges

I HEREBY CERTIFY that on this 16th day of December, 2016
before me, a Notary Public of the State and County aforesaid, personally appeared
Michael George Kramer, LCSW-C, License number 10400, and gave oath in due form
of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS, my hand and Notary Seal.



Notary Public

My commission expires 10-30-2018

LARISSA LESIW
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires October 30, 2018