

Maryland Department of Health and Mental Hygiene

4201 Patterson Avenue • Baltimore, Maryland 21215-2299

Robert L. Ehrlich, Jr., Governor — Michael S. Steele, Lt. Governor — S. Anthony McCann, Secretary

May 23, 2005

VIA REGULAR AND CERTIFIED MAIL

RETURN RECEIPT REQUESTED # 7001 2510 0002 0072 2386

Dana B. Couch-Davis, Ed.D.  
1411 K Street NW Suite 603  
Washington, DC 20005

Re: **REVOCATION OF PROFESSIONAL COUNSEOR LICENSE**  
**License No: LC0542**

Dear Dr. Couch-Davis:

Enclosed, please find the Final Decision and Order concerning the above-referenced matter. The Maryland Board of Professional Counselors and Therapists signed this document on Friday, May 20, 2005.

Sincerely,

Joanne Faber, LCPC, Chairperson  
Board of Professional Counselors and Therapists

Cc: Board of Professional Counselors  
Noreen Rubin, Board Counsel  
Sherrai V. Hamm, Assistant Attorney General, Administrative Prosecutor  
Timothy J. Paulus, Deputy Counsel  
Sylvia Morgan, Legal Assistant



IN THE MATTER OF \* BEFORE THE STATE  
DANA B. COUCH-DAVIS, LCPC \* BOARD OF EXAMINERS  
RESPONDENT \* OF PROFESSIONAL  
LICENSE NUMBER: LC0542 \* COUNSELORS AND THERAPISTS

\* \* \* \* \*

**FINAL ORDER OF REVOCATION OF LICENSE  
TO PRACTICE AS A CLINICAL PROFESSIONAL COUNSELOR**

**FINDINGS OF FACT<sup>1</sup>**

The Board finds that:

1. At all times relevant herein, the Respondent was license to practice clinical professional counseling in the State of Maryland. The Respondent was originally issued a license to practice clinical professional counseling in the State of Maryland on or about May 23, 1999. The Respondent's license expired on December 31, 2004.

2. At all times relevant to the charges herein, the Respondent worked as a professional counselor in the District of Columbia.<sup>2</sup>

3. On or about January 24, 2004, the District of Columbia Board of Professional Counseling ("the District of Columbia Board") notified the Respondent of its intent to take disciplinary action against the Respondent. (A copy of the Notice of Intent to Take Disciplinary Action, *In the Matter of Dana Couch-Davis, Ed.D.*, is attached hereto and incorporated herein as **Exhibit A**)

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<sup>1</sup> The statements made herein with respect to the Respondent's conduct are intended to provide the Respondent with notice. 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.

<sup>2</sup> The Respondent is also licensed by the Board of Professional Counseling in the District of Columbia.

4. On or about September 10, 2004, the District of Columbia Board suspended the Respondent's license to practice as a professional counselor for a period of three (3) years (A copy of the Order of Suspension, is attached hereto and incorporated herein as **Exhibit B**).

5. The Respondent's license was suspended after he informed the District of Columbia Board that he wished to voluntarily surrender his license.<sup>3</sup>

6. The Respondent was disciplined by the District of Columbia Board for acts that would be grounds for disciplinary action under § 17-313 (4) and (12) of the Act, and Code Md. Regs. tit. 10, § 58.03.03 A (1); 10, § 58.03.04 A (3); 10, § 58.03.05 A (2) (a); and 10 § 58.03.08 A (1) and (2).

7. The disciplinary action taken against the Respondent's license by the District of Columbia constitutes grounds for revocation of the Respondent's license to practice as a clinical professional counselor in the State of Maryland.

8. The Respondent failed to notify the Board that his license to practice professional counseling in the District of Columbia had been suspended as required by Code Md. Regs. tit. 10, § 58.03.04 A (3).

9. The Respondent's failure to notify the Board that his license to practice professional counseling in the District of Columbia had been suspended, constitutes grounds for revocation of the Respondent's license to practice as a clinical professional counselor in the State of Maryland.

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<sup>3</sup> Under D.C. Official Code § 301205.17 (a) 2001, "Any health professional who is subject to an investigation into, or pending proceeding involving allegations of misconduct may voluntarily surrender his or her license or privilege to practice in the District..."

## CONCLUSIONS

Based on the foregoing Findings of Fact, the Board concludes that the Respondent is violation of H.O. § 17-313 (4), (10), and (12) and Code Md. Regs. tit. 10, § 58.03.03 A (1); 10, § 58.03.04 A (3); 10, § 58.03.05 A (2) (a); and 10, § 58.03.08 A (1) and (2).

## ORDER

**ORDERED**, that the License issued to Dana B. Couch-Davis to practice as a clinical professional counselor in the State of Maryland is hereby **REVOKED**; and it is further

**ORDERED**, that the Respondent is prohibited from practicing as a clinical professional counselor in the State of Maryland;

**ORDERED**, that the Respondent shall surrender to the State Board of Professional Counselors and Therapists the following items regarding license Number LC0542, within five (5) days upon receipt of said Order:

1. Wall certificate; and/or
2. Display certificate; and
3. Pocket certificate.

**ORDERED** that for purposes of public disclosure and as permitted by Md. State Govt. Code Ann. § 10-617(h) (2004 Repl. Vol.), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law, and Order, and that the Board may also disclose to any national reporting bank or other to whom the Board is mandated to report; and be it further

**ORDERED**, that this Final Order is a public document pursuant to Md. State Govt. Code Ann. § 10-601 et seq. (2004 Repl. Vol.).

May 20, 2005  
Date

Joanne Faber, LCPC, Chair  
Joanne Faber, M.Ed., LCPC, Chairperson  
Maryland Board of Professional  
Counselors and Therapists

**NOTICE OF RIGHT TO APPEAL**

Pursuant to Md. Health Occ. Code Ann. § 17-315 (2000 Repl. Vol. and 2004 Supp.), you have a right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty (30) days of your receipt of the Final Order of Revocation of License to Practice As a Clinical Professional Counselor shall be made as provided for judicial review of a final decision in the Md. State Govt. Code Ann. §§ 10-201 et seq. (2004 Repl. Vol.), and Title 7, Chapter 200 of the Maryland Rules.



Ms. [REDACTED] without her authorization and without having been court ordered to so disclose. Said disclosure was in violation of the District of Columbia Mental Health Information Act, D.C. Official Code § 7-1201.02 (2001).

Charge II:

You performed or attempted to perform services beyond the scope of those authorized by your professional counseling license in violation of D.C. Official Code §3-1205.14(a) (21) (2001).

Specification A:

By letter dated May 23, 2003, addressed to "Whom It May Concern" you disclosed information showing that you had diagnosed a client, Ms. [REDACTED] with "pervasive developmental disorder, borderline personality disorder". Making such a diagnosis is beyond the scope of practice of a professional counselor as defined in D.C. Official Code § 3-1201.02 (15A) (A) (2001).

Charge III:

You demonstrated a careless or willful disregard for the health or welfare of a patient in violation of D.C. Official Code §3-1205.14(a) (28) (2001).

Specification A:

You made a diagnosis of Ms. [REDACTED] when not authorized to do so and without an adequate basis; you then disclosed that diagnosis to others when not authorized. Additionally, you disclosed the information to a lawyer when you knew or should have known that such information, if reportable by law, must be directed to the local government, not an attorney in an adversary proceeding involving your client.

Charge IV:

You are professionally incompetent for which the Board may take the proposed disciplinary action pursuant to D.C. Official Code §3-1205.14(a) (5) (2001).

Specification A: Specification A, in support of Charge III is incorporated herein by reference and made a part hereof.

You have the right to request a hearing on this matter by delivering a letter to the Board in person or by certified mail, within twenty (20) calendar days after service of this notice. The letter should be addressed to the District of Columbia Board of Professional Counseling, 825 North Capitol Street, NE, Room 2224, Washington, D.C. 20002. If a hearing is not requested within the time and in the manner specified, the Board may take the proposed action without a hearing.

Also, a copy of your request should be mailed to Maureen W. Zaniel, Senior Counsel, Public Protection and Enforcement, Office of the Corporation Counsel, 441-4th Street, N.W., Room 450 North, Washington, D.C. 20001.

Should you request a hearing, the Board will notify you of the hearing date. Thereafter, the District of Columbia will be represented before the Board by the Senior Counsel listed above. That is the attorney to whom you should deliver a copy of any pleading or other written communication addressed to the Board.

You may appear personally at such a hearing and you may be represented by legal counsel. You have the right to produce witnesses and evidence on your behalf, to cross-examine witnesses against you, to examine evidence produced, and to have subpoenas issued on your behalf to require the production of witnesses and evidence.

If you, or any witnesses you intend to call, are deaf or because of a hearing impediment cannot readily understand or communicate the spoken English language, you or your witnesses may apply to the Board for the appointment of a qualified interpreter.

Your failure to appear at the time and place set for the hearing, either in person or through counsel, or both, will not preclude the Board's proceeding in the matter.

January 29, 2004  
Date

For Jeshe Wilder

Camilla Clay, Ed.D.

Chairperson

Board of Professional Counseling



**American Association for  
Marriage and Family Therapy**

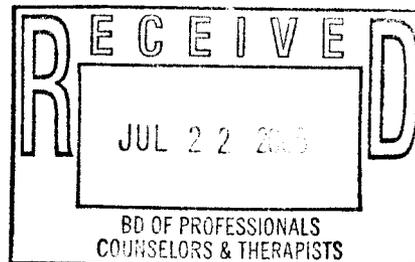
Advancing the Professional Interests  
of Marriage and Family Therapists

112 South Alfred Street  
Alexandria, VA 22314  
Telephone: (703) 838-9808  
Fax: (703) 838-9805  
Website: www.aamft.org

**CONFIDENTIAL**

July 20, 2005

Aileen Taylor, Executive Director  
State of Maryland  
Board of Professional Counselors & Therapists  
4201 Patterson Avenue  
Baltimore, MD 21215



Dear Ms. Taylor:

The website for the Maryland Board [<http://dhmh.state.md.us/bopc/>] reports disciplinary action in the case of Dana B. Couch-Davis, LCO542. Because Dana B. Couch-Davis is an applicant for membership in the American Association for Marriage and Family Therapy, the Ethics Committee is obligated to investigate and determine whether or not AAMFT's *Code of Ethics* has been violated and whether or not Dr. Couch-Davis meets our membership requirements.

I am writing to request those records you are able by law to provide that relate to the investigation of Dana B. Couch-Davis, including any findings of fact, consent order, and/or final settlement.

Please feel free to contact me at 703-253-0471 if you have any questions.

Thank you for your attention to this matter.

Sincerely,

Linda High, Staff Attorney  
Ethics Committee Staff