



STATE OF MARYLAND

DHMH

 Board of Professional Counselors and Therapists

Maryland Department of Health and Mental Hygiene
4201 Patterson Avenue • Baltimore, Maryland 21215-2299

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – John M. Colmers, Secretary

October 17, 2008

VIA FIRST CLASS MAIL

James A. Dennis, Sr.
5614 Woodmont Avenue
Apt. B
Baltimore, Maryland 21239

**RE: Final Decision and Order
Case Number 2006-11**

Dear Mr. Dennis:

Enclosed, please find the Final Decision and Order signed by the Board of Professional Counselors and Therapists on October 17, 2008

Sincerely,

Aileen Taylor
Executive Director

Cc: Noreen Rubin, Board Counsel
Roberta Gill, Assistant Attorney General, Administrative Prosecutor
Timothy J. Paulus, Deputy Counsel

IN THE MATTER OF
JAMES A. DENNIS, CSC-AD.,
Respondent.
Certificate Number: SC0230

* BEFORE THE MARYLAND
* STATE BOARD OF PROFESSIONAL
* COUNSELORS AND THERAPISTS
*

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FINAL DECISION AND ORDER

PROCEDURAL HISTORY

This case arose out of a complaint from the former employer of James A. Dennis, ("Mr. Dennis"), CSC-AD, a supervised alcohol and drug counselor certified by the Maryland State Board of Professional Counselors and Therapists (the "Board"). The complaint alleged that Mr. Dennis engaged in sexual relations and a dual relationship with a female patient, Patient A,¹ in 2005, while employed as an alcohol and drug counselor at the Jones Falls Counseling Center, a residential addictions treatment facility for women in Baltimore, Maryland.

Following an investigation, the Board issued a Notice of Intent to Revoke Mr. Dennis's certificate to practice alcohol and drug counseling. The Board charged Mr. Dennis with violating the Maryland Professional Counselors and Therapists Act, Md. Health Occ. ("H.O") Code Ann. §§ 17-101 *et seq.*, and the Board's ethical regulations. H.O. § 17-313 permits the Board to impose disciplinary action if a certificate holder:

- (4) Violates the code of ethics adopted by the Board;
- (7) Is professionally, physically, or mentally incompetent; or
- (9) Violates any rule or regulation adopted by the Board.

¹ For purposes of confidentiality, the female patient involved in this case is referred to as Patient A throughout this Final Decision and Order.

The Board also charged Mr. Dennis with violating Code Md. Regs. ("COMAR") – Code of Ethics tit. § 10.58.03.03, which provides as follows:

04. Ethical Responsibility

A. A counselor shall:

- (1) Consult with other counselors or other relevant professionals regarding questions related to ethical obligations or professional practice;
- (11) Be familiar with and adhere to this chapter;
- (14) Take reasonable precautions to protect clients from physical or psychological trauma.

B. A counselor may not:

- (2) Participate in dishonest, fraudulent, or deceitful activity in the capacity of a counselor; or
- (3) Enter into a relationship that could compromise a counselor's relationship or create a conflict of interest.

05. The Counseling Relationship

A. Client Welfare and Rights

(2) A counselor may not:

- (a) Place or participate in placing clients in positions that may result in damaging the interests and the welfare of clients, employees, employers, or the public.
- (d) Foster dependent counseling relationships.

B. Dual Relationships

(1) A counselor shall:

- (a) Avoid dual relationships with clients; and
- (b) Take appropriate measures, including but not limited to, informed consent, consultation, supervision, and documentation to ensure that judgment is not impaired and no exploitation occurs if a dual relationship cannot be avoided.

09. Sexual Misconduct

A. A counselor may not engage in sexual misconduct with a client or supervisee. Sexual misconduct includes but is not limited to:

- (2) Sexual exploitation
- (4) Sexual behavior, and

B. Concurrent Sexual Relationships. A counselor may not engage in either forced or consensual sexual behavior with:

- (1) A client.

F. Therapeutic Deception. A counselor may not:

- (2) Suggest, recommend, or encourage a client to engage in a sexually provocative act, including but not limited to:
 - (a) Sexual contact with a counselor.

11. Sanctions

A. A counselor who engages in sexual misconduct with a client or supervisee is subject to sanctions by the Board.

B. A sanction constitutes the minimum disciplinary measure and does not preclude the Board from imposing additional penalties as it considers appropriate to a particular case.

C. The Board shall advise professional associations of a reprimand, suspension, or revocation of a license or certificate on the grounds of sexual misconduct.

D. A counselor may not prohibit a client from reporting sexual misconduct as a condition of settlement of a legal cause of action.

E. A counselor who does not comply with this chapter shall be in violation of Health Occupations Article, § 17-313, Annotated Code of Maryland, and subject to disciplinary actions.

F. A lack of knowledge, or misunderstanding of an ethical responsibility, is not a defense against a charge of unethical conduct.

Mr. Dennis requested an evidentiary hearing on the Board's intent to revoke his CSC-AD certificate and attended a Case Resolution Conference in April, 2008, before representatives of the Board. On June 20, 2008, the Board conducted a contested case hearing pursuant to HO § 17-314 and the Administrative Procedure Act, Md. Code Ann., State Gov't ("SG") § 10-201 *et seq.*, at which Mr. Dennis was present. Mr. Dennis was not represented by counsel, and waived his right to attorney representation. (T. 7). Mr. Dennis acknowledged that he had received documents from the Administrative Prosecutor, including a copy of the State's exhibits and witness lists. (T. 6-7)

At the hearing, Mr. Dennis admitted that he had a sexual and dual relationship with his female patient. The substantive issue before the Board was the sanction to be applied to Mr. Dennis for his violation of the Act.

After consideration of the testimonial and documentary evidence in the record, the Board voted to uphold the charges against Mr. Dennis and to impose the sanctions contained in this Final Decision and Order.

SUMMARY OF EVIDENCE

A. Documents

The following documents were admitted into evidence.

State's Exhibits 1-9

- Exhibit 1 Computer printout of certification information.
- Exhibit 2 Complaint from Deirdre Davis, CAC-AD, dated 11/16/05.
- Exhibit 3 Detailed explanation underlying complaint, dated 02/23/05.
- Exhibit 4 Investigative Report.
- Exhibit 5 Memorandum from Rick Kenney, Board investigator, to Roberta Gill, AAG, Administrative Prosecutor, with attachments, dated 06/22/06.
- Exhibit 6A Board's Subpoena to the Counseling Center, dated 01/17/07.
- Exhibit 6B Response from Deirdre Davis, CAC-AD, dated 01/23/07.

- Exhibit 7A Application for Court Order to authorize release of treatment records, dated 02/23/07.
- Exhibit 7B Re-filed Application for Court Order, dated 04/18/07.
- Exhibit 7C Court Order from Circuit Court of Baltimore City, dated 04/18/07.
- Exhibit 8A Treatment Records of Patient A (1st set).
- Exhibit 8B Treatment Records of Patient A (2nd set).
- Exhibit 9A Cover letter with Notice of Intent to Revoke, dated 12/31/07.
- Exhibit 9B Notice of Intent to Revoke CSC-AD Certification, dated 12/31/07.
- Exhibit 9C Notice of contested case hearing under the Administrative Procedure Act, dated 01/24/08.

Mr. Dennis did not submit any documentary evidence to the Board.

B. Summary of Witness Testimony

Howard (Rick) Kenney, Board investigator, and Deirdre Davis, CAC-AD, and Valerie Kellam, employed by the Jones Falls Counseling Center (now the Baltimore Community Resource Center or BCRC), testified for the State. Mr. Dennis testified on his own behalf.

EVALUATION OF THE EVIDENCE

The documents² and witnesses presented by the State showed that Mr. Dennis was certified to practice as a CSC-AD during the time he provided individual and group alcohol and drug counseling services to Patient A. **(State Exhs. 1-5, 8A, 8B, T. 26-56, 64-74)**

Mr. Dennis's sexual and dual relationship with Patient A is undisputed. Mr. Dennis admitted his sexual relationship with the patient to the center's staff and his supervisor, to the Board investigator, and at the hearing before the Board, and conceded that there was no justification for his conduct. **(State Exhs. 3, 4, 5, P. 31; T. 14, 29-30, 51, 52, 54-**

² The documents in this case include Patient A's drug and alcohol treatment records from the counseling center **(St. Exhs. 8A, 8B)**, which are confidential pursuant to federal law - 42 U.S.C. § 290ee-3 and 42 C.F.R. Part 2. The Administrative Prosecutor for the State obtained the records by Court Order under 42 C.F.R. § 2.66. **(St. Exhs. 7A, 7B, 7C)** The need to obtain Patient A's records was a factor that delayed the Board's prosecution of Mr. Dennis.

55, 59, 61-114) Mr. Dennis testified that he brought Patient A to his home in the daytime while he was still working at the center and that he she spent the weekends with him after he was fired in October, 2005, when his relationship with her was discovered. (T. 76-77) From October, 2005 until February, 2006, Mr. Dennis also collected Patient A from the center in the evenings and continued his sexual relationship with her. (T. 52, 54-55, 76-77) Mr. Dennis testified that he told Patient A that she had to leave his house in February, 2006, after taking her back five or six times, because she stole his money and jewelry and was using drugs and getting high. (T. 65-78) Mr. Dennis stated that he does not know Patient A's whereabouts now but that she is still using drugs. (T. 78)

In a conversation with Deirdre Davis, the center's Clinical Director, Mr. Dennis told Ms. Davis that Patient A was getting the benefit or best of both worlds from her relationship with him. (T. 51, 78-79) According to Mr. Dennis, his love for and emotional involvement with Patient A justified their relationship. (T. 59, 78-79) In Mr. Dennis's view, he "was wrong but not blatantly wrong" because he cared about Patient A, and he thought he could help her. (T. 59, 79-80) Mr. Dennis claimed that his relationship with Patient A had nothing to do with his counseling skills, there was no exploitation or manipulation, his emotions and head did not work as one, he couldn't put the brakes on, it just happened and he went with it. (T. 61-64) Mr. Dennis also testified that he took ethics classes, but ethics was the last thing on his mind, because his emotions were overwhelming, unmanageable, and out of control, and he was powerless to use restraint. (T. 80-81, 87-89, 98) According to Mr. Dennis, he was wrong to break the ethics rules and the "Commandment forbidding fornication," but "the fornicating one has a greater impact on [him]." (T. 96)

Mr. Dennis admitted that he bought Patient A a cell phone and a birthstone ring. (T. 74-75) He purchased Christmas gifts, including clothes, shoes and more jewelry for her. (T. 75-76) In addition, Mr. Dennis admitted that he socialized with other family members of Patient A, had Christmas dinner and Thanksgiving dinner with them, and went to movies with them. (T. 115) He became godfather to Patient A's sister's son, and bought clothes, shoes and Pampers for the child. (T. 115-16) At the hearing, Mr. Dennis acknowledged that he was still in touch with Patient A's mother (T. 77-78), but had not concluded that this ongoing contact with her mother was a boundary violation. (T. 93-94)

Mr. Dennis also admitted that he called and left threatening messages directed at the center's staff after he was fired, and told them that rules were made to be broken. (T. 82) With respect to his employment issues, Mr. Dennis's conceded that he told a staff member at the center that she was messing up big time and was going to get it big time. (T. 83-84) Mr. Dennis, however, denied that he meant any physical harm. *Id.*

In response to questions from Board members, Mr. Dennis testified that he did not confide in colleagues, spiritual advisors, or any sponsors at the time of his sexual involvement with Patient A. (T. 79, 95-96, 114-15) Mr. Dennis also stated that he has not sought professional counseling or therapy since his relationship with Patient A, but considers his clergy as professional help, and has talked to spiritual advisors, pastors, deacons, mentors, and a minister about the relationship. (T. 85-86, 95) In Mr. Dennis's view, his compulsion or obsession with Patient A was related to emotional issues that he had not addressed within himself, and he stated that he was not good at handling his emotions nor did he try to master his emotions. (T. 87-89)

The Board appreciates Mr. Dennis's honesty in admitting to his sexual and dual relationship with Patient A. Mr. Dennis's admission of his egregious misconduct, however, was not accompanied by any meaningful sense of awareness of the impact of his actions. Mr. Dennis compromised his professional integrity by engaging in a sexual relationship with a vulnerable drug-addicted patient, and jeopardized her recovery.

The Board rejects Mr. Dennis's claim that Patient A was not victimized or exploited by his actions. The Board's regulations specifically prohibit sexual and dual relationships between counselors and patients to prevent patient exploitation by unethical counselors. COMAR 10.58.03.05 B; 10.58.03.09 B. In this case, the counseling-patient relationship itself created Mr. Dennis's opportunity for his illegal relationship with Patient A. Mr. Dennis exploited, to his own ends, the trust and knowledge derived from his therapeutic association with his patient, and dispensed with his professional obligations in order to gratify his personal desires. Because the Board recognizes that a vulnerable patient is incapable of giving informed consent to any type of personal relationship with a counselor, the Board's regulations also forbid either consensual or forced sexual behavior in patient-counselor relationships. By taking her into his home, and by engaging in a personal and sexual relationship with her during his employment at the center, and after he was fired, Mr. Dennis exploited Patient A.

Mr. Dennis's exploitative conduct was not only unethical, but endangered Patient A's interests and welfare, because Mr. Dennis ignored Patient A's emotional vulnerability as a recovering addict. Mr. Dennis was responsible for recognizing the unique nature of the alcohol and drug counselor – patient relationship, and for holding the line. His

feelings for Patient A do not mitigate his misconduct. Mr. Dennis was obligated not to yield to his sexual urges.

Mr. Dennis testimony also showed no meaningful insight into the risk of psychological harm to Patient A. Nor did Mr. Dennis show any understanding of the inherent power differential between counselor and patient due to the patient's trust, dependence, emotional vulnerability, and reliance on the counselor's knowledge, training and experience. Mr. Dennis's disregard of Patient A's risk factors highlights his lack of awareness of her interests and emotional welfare.

Mr. Dennis also committed numerous boundary violations. No valid counseling therapy permits gift giving between a treating counselor and a patient during the course of therapy or after the therapeutic relationship ends. In addition, Mr. Dennis's social and personal relationship with Patient A's family and his continued contact with her mother showed that he has no appreciation of his professional and ethical obligation to maintain appropriate boundaries.

Mr. Dennis claimed that his relationship with Patient A has nothing to do with his counseling skills. The Board disagrees. A counselor who engages in a sexual relationship with a drug-addicted patient shows inherent deficiencies in competent practice and ethical standards. Mr. Dennis's misconduct revealed a basic lack of proficiency in his chosen field. His testimony at the hearing further illuminated his counseling deficiencies and his knowledge gaps in boundary violation prevention techniques and modalities. As he admitted, Mr. Dennis was powerless to restrain himself and avert a relationship that impaired his judgment as an alcohol and drug counselor. These professional shortcomings are a source of considerable disquiet to the

Board, because of the Board's duty to ensure that alcohol and drug counselors are fit to hold a certificate to practice. Despite positive testimony regarding Mr. Dennis's counseling skills and ability to relate to patients, Mr. Dennis did not alleviate the Board's concerns with regard to his basic competence.

Further, Mr. Dennis's failure to seek professional counseling or therapy since his sexual relationship with Patient A is of great concern to the Board. Mr. Dennis's overall testimony in this respect demonstrated only a very superficial insight into and understanding of his own motivations for his unethical conduct. **(T. 85-120)** Mr. Dennis did not persuade the Board that he would be able to control an emotional attachment to any future patient in an ethical and competent manner, or that he has integrated his professional and ethical responsibilities with his own psychological risk factors. Without this integration, Mr. Dennis cannot practice alcohol and drug counseling safely.

FINDINGS OF FACT

Having considered all of the documentary and testimonial evidence presented at Mr. Dennis's evidentiary hearing, the Board finds by a preponderance of the evidence that Mr. Dennis engaged in a sexual and dual relationship with Patient A. In so doing, Mr. Dennis violated the Professional Counselors and Therapists Act, and the ethical standards of his profession.

CONCLUSIONS OF LAW

The Board concludes that Mr. Dennis violated H.O. § 17-313 (4), (7) and (9), and COMAR 10.58.03.04 A, B (3); 10.58.03.05 A (2), B; and 10.58.03.09 A (2)(4), B (1), F (2)(a).

SANCTION

One of the primary goals of the Professional Counselors and Therapists Act is to safeguard patients from unethical and illegal actions by counselors. Mr. Dennis's unethical and illegal actions are inimical to the standards of the profession of alcohol and drug counseling. Besides its concern with Mr. Dennis's prolonged sexual relationship with Patient A, the Board is also concerned about his exploitation of this emotionally-vulnerable female patient, his apparent ignorance of the ethics regulations and his own ethical responsibilities, and his inability to maintain appropriate professional boundaries. The Board's mission to protect the integrity of the counseling profession in Maryland mandates that the Board discourage such flagrant abuses of counseling privileges. The nature of Patient A's addiction required Mr. Dennis's vigilance about the impact of his conduct on her well-being. His emotional involvement with his patient does not justify his misconduct, and warrants concerns of a repeat offense by Mr. Dennis if he continues to practice at this time. Not only did Mr. Dennis violate the law, but his testimony showed that he has no insight into the potential for psychological harm to Patient A.

The State has a legitimate interest in ensuring that patients undergoing drug addiction treatment are protected from conduct that has the potential to cause psychological harm. As a CSC-AD, Mr. Dennis is subject to the standards and policies adopted by the Board and embodied in the law and regulations. Neither the general public nor the counseling profession would be served if the Board ignores its deterrent function. Given its mission of public protection, the Board must ensure that its certificate

holders pose no public risk. The Board will therefore revoke Mr. Dennis's certificate to practice alcohol and drug counseling for two years.

The Board has considered the nature and circumstances of Mr. Dennis's violation and the specific facts and testimony in this case. His sexual relationship and multiple boundary violations with Patient A not only reflect poor professional judgment and counseling deficiencies, but unresolved psychological issues, all of which impair his ability to practice alcohol and drug counseling safely. Overall, Mr. Dennis's testimony demonstrated a lack of knowledge, competency, insight, and integration that deeply troubles the Board. His reliance on pastors and spiritual advisors since the time of his violation is inadequate to deal with its causes. An appropriate sanction must address his personal and professional impairment, the educational gaps and deficiencies in his counseling knowledge, and his superficial understanding of ethical and boundary issues. His rehabilitation is essential to guarantee the safety of his patients and maintain the integrity of the alcohol and drug counseling profession in the State of Maryland. The Board's sanction, therefore, includes therapeutic and educational components.

ORDER

It is this 17TH day of October 2008, by a majority of the full authorized membership of the Board:

ORDERED that the CSC-AD certificate of James A. Dennis, CSC-AD, Certificate Number SC0230, be **REVOKED** for a minimum of **TWO (2) YEARS**, commencing on the date that the Board executes this Final Decision and Order; and it is further

ORDERED that the Board will not entertain an application from Mr. Dennis for reinstatement of his CSC-AD certification any earlier than **TWO (2) YEARS** from the

date of this Final Decision and Order, and until and unless Mr. Dennis successfully completes the following:

1. Mr. Dennis shall undergo, at his own expense, and for a minimum of **ONE (1) YEAR**, intensive mental health counseling and treatment with a Board-approved mental health professional licensed in Maryland. As part of the approval process, Mr. Dennis shall submit to the Board the curriculum vitae and any other information requested by the Board regarding the qualifications of the proposed mental health professional;
2. Mr. Dennis shall provide the mental health professional a copy of the charging document, Final Decision and Order, and any other documents that the Board deems relevant to this case;
3. After initial assessment of Mr. Dennis, the mental health professional shall provide written recommendations to the Board regarding an appropriate mental health treatment plan for Mr. Dennis, including recommendations on the duration of treatment and the frequency of treatment sessions. Mr. Dennis shall be responsible for ensuring that the Board receives a written report from the assessing mental health professional;
4. Mr. Dennis shall comply with any counseling and treatment recommendations made by the assessing mental health professional that are subsequently approved by the Board;
5. Mr. Dennis's counseling and treatment by the mental health professional shall focus on the prevention of sexual and dual relationships, sexual misconduct, psychological trauma to patients, and boundary violations; the issues of competence, impaired judgment and lack of insight; education on the 12-step program philosophy; the integration of ethical and professional responsibilities with psychological risk factors; consultation with colleagues; emotional immaturity and how it impedes the counseling relationship;
6. The treating mental health professional shall provide written **quarterly** reports to the Board detailing Mr. Dennis's progress. Mr. Dennis has sole responsibility for ensuring that the treating mental health professional submits the required quarterly reports in a timely manner;
7. The Board reserves the right to review and reassess the frequency of Mr. Dennis's counseling treatment;
8. Mr. Dennis shall not petition the Board for an early termination of his revocation; and it is further

ORDERED that, within **ONE (1) YEAR** of the date of execution of this Final Decision and Order, Mr. Dennis shall enroll in a Board-approved three semester credit course in Professional Ethics in Counseling - Alcohol and Drug specific - from an accredited college or university, at his own expense. At the conclusion of the course, Mr. Dennis shall submit to the Board proof of classroom attendance and a transcript verifying successful completion of the course, and it is further

ORDERED that after **two (2) years**, Mr. Dennis may petition the Board in writing for reinstatement of his certificate to practice as a certified supervised counselor – alcohol and drug, and shall appear before a reinstatement panel of the Board to establish that he has complied with the Board’s conditions. Mr. Dennis shall also provide satisfactory evidence that he is competent to practice alcohol and drug counseling safely, and has gained significant insights into the motivations that caused the boundary violation resulting in the Board’s charges, findings of fact, and conclusions of law; and it is further

ORDERED that if Mr. Dennis fails to comply with the requirements for reinstatement, the Board shall not reinstate his CSC-AD certificate; and it is further

ORDERED that if the Board reinstates the Mr. Dennis’s certificate, Mr. Dennis shall be placed on **PROBATION** for a minimum period of **TWO (2) YEARS**, which shall commence on the date the Board reinstates his alcohol and drug counselor certification, and shall continue until the following terms and conditions are met:

- a. Mr. Dennis’s practice shall be supervised, at his own expense, for a minimum of **ONE (1) YEAR** by a Board-approved licensed alcohol and drug counselor with experience and expertise in the field;
- b. As part of the approval process, Mr. Dennis shall submit to the Board the name and professional credentials of a licensed clinical alcohol and drug

counselor to supervise his practice. The proposed supervising counselor shall not be associated with Mr. Dennis through any current or past personal, collegial, professional or academic affiliation;

- c. Mr. Dennis shall provide the Board-approved supervising counselor with a copy of the charging document, Final Decision and Order, and whatever other written materials the Board deems relevant.
- d. The supervising counselor shall notify the Board in writing of his/her acceptance of the supervisory role of Mr. Dennis. Mr. Dennis shall not resume the practice of alcohol and drug counseling until the Board approves his proposed supervising counselor. Supervision of Mr. Dennis's practice shall commence following Board approval;
- e. At a minimum, the supervisor shall meet with Mr. Dennis on a **weekly** basis. The purpose of supervision shall be to monitor Mr. Dennis's practice, to focus on the maintenance of professional boundaries, ethical standards and the development of appropriate counselor-patient relationships in Mr. Dennis's practice;
- f. The supervising counselor shall submit **quarterly** reports to the Board indicating the ethical issues discussed and Mr. Dennis's progress;
- g. Mr. Dennis has sole responsibility for ensuring that the supervising counselor submits the required quarterly reports in a timely manner;
- h. The Board has sole authority over any changes in supervision and must approve and ratify any changes in supervision or the frequency of supervision;
- i. In the event that Mr. Dennis's supervising counselor discontinues supervising Mr. Dennis's practice for any reason during the one-year supervisory period, Mr. Dennis shall immediately notify the Board. Mr. Dennis shall be solely responsible for submitting a replacement candidate to serve as his supervisor under the terms specified above;
- j. If Mr. Dennis fails to complete the supervision in a timely manner as set out above, Mr. Dennis will be deemed in violation of probation;
- k. An unsatisfactory report from Mr. Dennis's supervisor may constitute a violation of this Final Decision and Order; and it is further

ORDERED that Mr. Dennis shall not petition the Board for early termination of his probation; and it is further

ORDERED that Mr. Dennis may submit a written petition to the Board requesting termination of his probation no earlier than two (2) years from the date of commencement of his probationary period, but only if he has fully and satisfactorily complied with all of the conditions of probation and if there are no pending complaints, investigations or charges against him; and it is further

ORDERED that Mr. Dennis is responsible for all costs incurred in fulfilling the terms and conditions of this Final Decision and Order; and it is further

ORDERED that Mr. Dennis shall comply with all laws governing the practice of alcohol and drug counseling under the Maryland Professional Counselors and Therapists Act and all rules and regulations promulgated thereunder; and it is further

ORDERED that if Mr. Dennis violates any of the terms and conditions of probation, the Board, after notice, opportunity for a hearing, and a determination of violation, may impose any disciplinary sanction it deems appropriate under the Act; and it is further

ORDERED, that this a Final Order of the Maryland State Board of Professional Counselors and Therapists and as such is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., State Gov't Art., §§ 10-611, *et seq.*

October 17, 2008

Date

Lisa Jackson-Cherry

Lisa Jackson-Cherry, Ph.D., L.C.P.C., Chair
Maryland State Board of Professional
Counselors and Therapists

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Health Occ. Code Ann. § 17-315, Mr. Dennis has the right to take a direct judicial appeal. Any appeal shall be filed within thirty (30) days from the receipt of this Final Order and shall be made as provided for judicial review of a final decision in the Maryland Administrative Procedure Act, Md. State Gov't Code Ann., § 10-222 and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If Mr. Dennis files an appeal, the Board is a party and must be served with the court's process at the following address:

**Maryland State Board of Professional Counselors & Therapists
4201 Patterson Avenue
Baltimore, Maryland 21215**

In addition, Mr. Dennis should send a copy to the Board's counsel:

**Noreen M. Rubin, Esquire
Office of the Attorney General,
300 W. Preston Street, Suite 302,
Baltimore, Maryland 21201.**

The Administrative Prosecutor is no longer a party to these proceedings at this point and need not be served or copied.