

IN THE MATTER OF	*	BEFORE THE MARYLAND
ALVOID W. WASHINGTON, LCPC	*	STATE BOARD OF PROFESSIONAL
Respondent	*	COUNSELORS AND THERAPISTS
License Number: LC5101	*	Case Number: 2014-24

* * * * *

**ORDER FOR SUMMARY SUSPENSION OF LICENSE
TO PRACTICE CLINICAL PROFESSIONAL COUNSELING**

The Maryland State Board of Professional Counselors and Therapists (the "Board") hereby **SUMMARILY SUSPENDS** the license of **ALVOID W. WASHINGTON, LCPC** (Licensed Clinical Professional Counselor)(the "Respondent"), License Number LC5101, to practice clinical professional counseling in the State of Maryland. The Board takes such action pursuant to its authority under Md. Code Ann., State Gov't § 10-226(c)(2)(2009 Repl. Vol.), concluding that the public health, safety or welfare imperatively requires emergency action.

INVESTIGATIVE FINDINGS

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe the following facts are true:¹

BACKGROUND

1. At all times relevant hereto, the Respondent was licensed to practice clinical professional counseling in the State of Maryland. The Respondent was

¹ The statements regarding the Board's investigative findings are intended to provide the Respondent with notice of the basis of the summary suspension. 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 connection with this matter.

originally licensed to practice clinical professional counseling in Maryland on May 29, 2013, under License Number LC5101. The Respondent's license is current until January 31, 2015.

2. The Board received a complaint against the Respondent on or about March 28, 2014, from a health care provider (the "Complainant")² at a counseling facility ("Facility A") in Maryland. In the complaint, the Complainant stated that during a background check of the Respondent for employment as a licensed provider at Facility A, she discovered that the Respondent's license to practice professional counseling in the District of Columbia ("D.C.") was revoked in 2012 and that he was then serving a criminal sentence in D.C. for having fraudulently obtained a health occupations license there.

3. Based on the complaint, the Board initiated an investigation of the Respondent.

BOARD INVESTIGATION

Initial Application for Licensure

4. The Respondent filed an "Out of State Board Application for LCPC" (the "Initial Application"), on or about July 19, 2011, applying for a LCPC license with the Board based on his D.C. professional counselor's license.

5. To the Initial Application, the Respondent attached a document purporting to be an academic transcript from the University of Maryland, Office of the Registrar,

² To ensure confidentiality, the names of individuals and facilities involved in this case are not disclosed in this document. The Respondent may obtain the names of all individuals and facilities referenced in this document by contacting the administrative prosecutor.

stating that he earned 61 credits from Spring 2008 to Fall 2009, with a grade point average of 3.71.

6. The Respondent attached a second document to the Initial Application purporting to be a diploma from the University of Maryland, College of Graduate Studies, conferring upon him a Doctor of Philosophy ("Ph.D.") degree in Clinical Psychology, dated December 18, 2009.

7. Relying in part on the Respondent's representation that he was awarded a Ph.D. in Clinical Psychology from the University of Maryland on December 18, 2009, the Board issued him a LCPC license on May 29, 2013.

8. Board investigation determined that the Respondent never attended the University of Maryland, College of Graduate Studies and that the academic transcript and diploma he submitted with his Initial Application were forged documents. On or about March 31, 2014, the Board's investigator contacted a supervisor at the University of Maryland, College Park, Office of the Registrar, who confirmed that the Respondent never attended the University of Maryland or received a Ph.D. in Clinical Psychology from the university.

Revocation of Professional Counselor's License in D.C.

9. As a part of the Respondent's initial licensure process in Maryland based on an out-of-state license, the District of Columbia Board of Professional Counseling (the "DC Board"), verified that on October 27, 2009, it issued the Respondent a license to practice professional counseling in D.C. under License Number PRC14066.

10. On or about April 9, 2012, the DC Board served the Respondent with a "Notice of Summary Action to Suspend License." In the Notice, the DC Board charged

the Respondent with: fraudulently or deceptively obtaining a license, in violation of D.C. Official Code § 3-1205.14(a)(1); fraudulently or deceptively using a license, in violation of D.C. Official Code § 3-1205.14(a)(2); filing with the Mayor and the [DC Board] statements, diplomas, certificates, or other credentials knowing or should have known that they were false or misleading, in violation of D.C. Official Code § 3-1205.14(a)(24); and practicing professional counseling without a valid license, in violation of D.C. Official Code § 3-1205.14(c).

11. The DC Board alleged in its Notice that the Respondent, in his application for licensure as a professional counselor in D.C., submitted on September 9, 2009, falsely represented that he received: a Bachelor of Arts in Psychology from Trinity College in May 2004; and a Master of Science in Psychology from the University of Maryland, College Park, in December 2005. Moreover, the transcripts and diplomas the Respondent submitted regarding the Master of Science and Ph.D. in psychology from the University of Maryland were likewise fraudulent, as he never attended the University of Maryland. The DC Board alleged that after having fraudulently obtained a license, the Respondent practiced professional counseling in D.C. for two counseling service providers.

12. By Order, dated April 13, 2012, the DC Board revoked the Respondent's license to practice professional counseling in D.C. after he signed an affidavit voluntarily surrendering his D.C. professional counselor's license.

Criminal Convictions in D.C.

13. On or about November 5, 2013, the Respondent was charged with various counts of practicing a health occupation without a license in the Superior Court of the District of Columbia under Case Number 2013 CDC 019441.

14. On December 12, 2013, The Respondent appeared in the Superior Court of the District of Columbia and pleaded guilty to: Count 1 - Health Occupation Practice W/O License; Count 2 - Misrepresenting Oneself as a Psychologist; Count 39 - Fraudulently or Deceptively Obtained a license; and Count 40 - Fraudulently or Deceptively Used a License. The Respondent was sentenced in all four counts to confinement for 180 days with all but 155 days suspended, to be served on weekends. He was placed on supervised probation for a period of two years.

BASIS FOR DISCIPLINARY CHARGES

15. Based on the above investigative findings, the Board has a basis to charge the Respondent under the Maryland Professional Counselors and Therapists Act, Md. Code Ann., Health Occ. ("Health Occ.") §§ 17-101 *et seq.* Specifically, the Board has a basis to charge the Respondent with violating the following provisions of Health Occ. § 17-509:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license or certificate for the applicant, licensee, or certificate holder or for another;
- (6) Willfully makes or files a false report or record in the practice of counseling or therapy;
- (8) Violates the code of ethics adopted by the Board;
- (10) Is convicted of or pleads guilty or nolo contendere to a felony or a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

- (13) Violates any rule or regulations adopted by the Board;
- (14) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be ground for disciplinary action under the Board's disciplinary statutes; and
- (16) Commits an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy.

The underlying violations of the code of ethics and the rule or regulations adopted by the Board under Health Occ. § 17-509(8) and (13) include the following violations of Md. Code Regs. 10.58.03:

.03 Professional Competence.

A. A counselor shall:

- (1) Practice only within the boundaries of a counselor's competence, based on education, training, supervised experience, and professional credentials.

.04 Ethical Responsibility.

A. A counselor shall:

- (3) Notify the Board if the counselor's license, or certificate, or both, has been limited, restricted, suspended, revoked, or subject to disciplinary action by any other state, federal agency, or the District of Columbia.
- (11) Be familiar with and adhere to this chapter.

B. A counselor may not:

- (2) Participate in dishonest, fraudulent, or deceitful activity in the capacity of a counselor.

Under Health Occ. § 17-509(14), the underlying grounds for disciplinary action under the Board's disciplinary statutes include Health Occ. § 17-509:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license or certificate for the applicant, licensee, or certificate holder or for another; and
- (6) Willfully makes or files a false report or record in the practice of counseling or therapy.

CONCLUSIONS OF LAW

Based upon the foregoing Investigative Findings, the Board concludes as a matter of law that the public health, safety, or welfare imperatively requires emergency action, pursuant to Md. Code Ann., State Gov't. § 10-226(c)(2)(2009 Repl. Vol.).

ORDER

It is this 29th day of April, 2014, by a majority of the Board considering this case:

ORDERED that pursuant to the authority vested in the Board by Md. Code Ann., State Gov't. § 10-226(c)(2), the Respondent's license to practice clinical professional counseling in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that the Respondent has the opportunity to appear before the Board for a post-deprivation show cause hearing. A request for a post-deprivation show cause hearing must be in writing and be made **WITHIN THIRTY (30) DAYS** of service of this Order. The written request should be made to: Tracey DeShields, Executive Director, Maryland State Board of Professional Counselors and Therapists, 4201 Patterson Avenue, Baltimore, Maryland 21215, with copies mailed to: K. F. Michael Kao, Assistant Attorney General, Health Occupations Prosecution and Litigation Division, Office of the Attorney General, 300 West Preston Street, Suite 201, Baltimore, Maryland 21201, and Ari Elbaum, Assistant Attorney General, Office of the Attorney General, 300 West

Preston Street, Suite 302, Baltimore, Maryland 21201, and it is further

ORDERED that if the Respondent fails to request a post-deprivation show cause hearing in writing, or if the Respondent requests a post-deprivation show cause hearing but fails to appear when scheduled, the Respondent's license will remain **SUSPENDED**; and it is further

ORDERED that on presentation of this Order, the Respondent **SHALL SURRENDER** to the Board his original clinical professional counselor's license LC5101, wallet card and wall certificate; and it is further

ORDERED that this is an Order of the Board, and as such, is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., State Gov't § 10-611 *et seq.*(2009 Repl. Vol.).



Carol A. Deel, LCMFT, LCPC

Board Chair

MD State Board of Professional Counselors
and Therapists