IN THE MATTER OF	*	**BEFORE THE MARYLAND**
BILAL A. ALI, CAC-AD	*	**BOARD OF PROFESSIONAL**
Respondent	*	**COUNSELORS AND**
LICENSE NO. AC1179	*	**THERAPISTS**
	*	**CASE NO. 2011-05**

* * * * * * * * * * * * *

CONSENT ORDER

On or about May 31, 2013, the Maryland Board of Professional Counselors and Therapists (the "Board") issued Charges Under the Professional Counselors and Therapists Act (the "Act") against Bilal Ali, Certified Associate Alcohol and Drug Counselor ("CAC-AD") ("Respondent") for the violations of the Act, codified at Md. Code Ann., Health Occ. ("H.O.") § 17-101 *et seq.* (2009 Repl. Vol., 2013 Supp.)

Respondent was charged with violations of the Act under H.O. § 17-509 as follows:

> Subject to the hearing provisions of § 17-511 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license or certificate to any applicant, place any licensee or certificate holder on probation, reprimand any licensee or certificate holder, or suspend or revoke a license of any licensee or a certificate of any certificate holder if the applicant, licensee, or certificate holder:
>
> (8) Violates the code of ethics adopted by the Board;
>
> (13) Violates any rule or regulation adopted by the Board; [or]
>
> (16) Commits an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy[.]

Further, Respondent was charged with violating the Board's corresponding regulations under Md. Regs. Code ("COMAR") Title 10 § 58.03. The Board's Code of Ethics, codified at COMAR 10.58.03.04, *et seq.*, requires that "A counselor shall ...Be

familiar with and adhere to this chapter[.]" COMAR 10.58.03.04A(11). Specifically, COMAR 10.58.03.08A(1) provides that "A counselor shall ... [m]aintain the privacy and confidentiality of a client and a client's records[.]"

The Board and Respondent have agreed to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

Background

1. At all times relevant hereto, Respondent was and is licensed to practice as a CAC-AD in the State of Maryland.

2. Respondent was originally licensed to practice professional counseling in the State of Maryland on May 30, 2003, under License Number AC1179. Respondent's license is currently active and will expire on January 31, 2015.

3. At all times relevant hereto, Respondent was employed as a Clinical Supervisor and counselor providing counseling at a drug treatment center in Baltimore, Maryland ("Facility A").[1]

Complaint and Investigation

4. On March 9, 2011, one of Respondent's former colleagues at Facility A ("Clinical Supervisor A") filed a Complaint with the Board which stated that Respondent had been terminated from his employment at Facility A on or about December 20, 2010 for having breached patients' confidentiality, treating patients in a disrespectful and threatening manner, and providing inadequate supervision to his staff.

5. Based on this Complaint, the Board initiated an investigation.

[1] Facility and patient names have been withheld for the sake of privacy.

6. The Board's investigator spoke with Facility A's Clinical Director ("Clinical Director A") at Facility A, who confirmed the allegations relayed by Clinical Supervisor A. Clinical Director A provided the Board's investigator with signed releases from some of the patients affected by Respondent's behavior so that the Board's investigator could interview some of them.[2]

7. On April 28, 2011, the Board's investigator spoke with Patient A, who stated that she had witnessed Respondent insisting that patients leave the hospital and vicinity after their treatment. She also stated that Respondent had been "rude and nasty" to patients.

8. The Board's investigator also spoke with Patient B, who stated that Respondent had cursed at him and threatened him, telling Patient B that Respondent was "the new sheriff in town" at the drug treatment center.

9. Patient C also reported that Respondent had been rude to patients and that she had seen him publicly asking other patients in the program if they were on medication.

10. The Board's investigator also spoke with a health program analyst ("Program Analyst A") on May 4, 2011, who reported that during a two-month timeframe during Respondent's employment, Program Analyst A had received several telephone complaints each month from patients of Facility A. According to Program Analyst A, the patients had reported that Respondent violated their confidentiality by discussing their treatment openly in public and that he had been "rude and abrasive" to them, even threatening, stating that he was the "boss" and could he could "make s*** happen to [patients]."

[2] Only patients identified as Patients A, B, and C are referenced in this Consent Order.

11. One patient complained that Respondent spoke openly about the patient's treatment and threatened detox when the patient did not want to speak with him at a public market.

12. Due to the volume of complaints, Program Analyst A initiated a complaint resolution meeting on November 9, 2010 with approximately 34 patients and several members of the staff of Facility A.

13. In furtherance of its investigation, the Board obtained Respondent's personnel file from Facility A, which includes, *inter alia,* a six-page Performance Improvement Plan for Respondent dated December 1, 2010; a Complaint and Incident Resolution Form relating to Respondent dated October 29, 2010; and Facility A's termination letter of Respondent's employment dated December 20, 2010.

14. According to these documents, Respondent exhibited the following deficiencies, among many others, during his employment at Facility A: (a) breaching Patient Confidentiality Rights; and (b) acting unprofessionally toward patients and staff.

15. On April 28, 2011, Respondent was interviewed under oath by the Board's investigator and denied all of the allegations against him, providing reasons he believes various Facility A staff and patients lodged "false" complaints about him to his former employer and/or the Board. Respondent asserts that some Facility A staff fabricated allegations in retaliation for Respondent having "written them up" for inappropriate conduct. Respondent also asserts that Clinical Supervisor A mounted this "campaign" against him in retaliation against him after he reported unethical behavior on her part.[3]

[3] After the Board initiated its investigation in this matter, Respondent filed a complaint with the Board regarding Clinical Supervisor A, which was subsequently closed without action.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that Respondent violated Health Occ. § 17-509(16).

ORDER

Based on an affirmative vote of a quorum of the Board, it is hereby:

ORDERED that Respondent's certificate to practice as a Certified Associate Alcohol and Drug Counselor (CAC-AD) is **REPRIMANDED**; and it is further

ORDERED that Respondent shall be placed on **PROBATION** for a period of at least **18 months**, to commence on the date the Board executes this Consent Order, subject to the following terms and conditions:

1. Respondent shall enroll in and successfully complete a Board-approved ethics course in class;
2. Respondent shall enroll in and successfully complete a Board-approved clinical documentation course in class; and
3. Respondent shall enroll in and successfully complete a Board-approved course on clinical supervision.

AND IT IS FURTHER ORDERED that during the probationary period, Respondent shall pay to the Board **a fine of $500.00** via certified check or money order; and it is further

ORDERED that upon the conclusion of the entire 18 month probationary period, Respondent may submit a written petition to the Board requesting termination of his probationary status, but only if he has fully and satisfactorily complied with all of the

terms and conditions of this Consent Order and there are no pending complaints regarding him before the Board; and it is further

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

ORDERED that if Respondent fails to comply with the any of the terms and/or conditions of this Order, the Board, in its discretion, after notice and an opportunity for a show cause hearing before the Board otherwise, may impose any sanctions which the Board may have imposed in this case, including additional probationary terms and conditions, reprimand, suspension, revocation and/or monetary penalty; and it is further

ORDERED that this is a Final 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., 2013 Supp.).

4-25-2014
Date

Carol A. Deel, LCPC, LCMFT, Chair
Maryland Board of Professional Counselors and Therapists

CONSENT

1. By signing this Consent, I hereby affirm the findings of fact contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter.
3. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
4. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
5. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel.
6. I fully understand the language, meaning, and effect of this Consent Order.

4-25-2014
~~4-24-2014~~ BA
Date

Bilal Ali MS CAC-AD
Bilal Ali, CAC-AD

NOTARY

STATE OF MARYLAND

COUNTY/CITY OF Anne Arundel:

I hereby certify that on this 25th day of April, 2014, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared **BILAL ALI**, and made an oath in due form that the foregoing Consent was his voluntary act and deed.

JOHN R. BULL
Notary Public
Anne Arundel County, MD

Notary Public
My commission expires: 3/24/18