IN THE MATTER OF	*	**BEFORE THE**
AMIE C. MYRICK, LCPC	*	**STATE BOARD OF**
Respondent	*	**PROFESSIONAL COUNSELORS**
License Number: LC4026	*	**AND THERAPISTS**
	*	**Case Number: 2012-29**

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FINAL CONSENT ORDER

Based on information received and a subsequent investigation by the State Board of Professional Counselors and Therapists (the "Board"), and subject to Md. Health Occ. Ann. § 17-101, *et seq.*, (2009 Repl. Vol.) (the "Act"), the Board charged **AMIE C. MYRICK, LCPC**, (the "Respondent"), with violations of the Act. Specifically, the Board charged the Respondent with violation of the following provisions of §17–509:

> Subject to the hearing provisions of § 17–511 of this subtitle, 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;
>
> (9) Knowingly violate any provision of this title.
>
> (13) Violates any rule or regulation adopted by the Board; and
>
> (16) Commits an act...unprofessional conduct in the practice of clinical or nonclinical counseling or therapy [.]

The Board also charged the Respondent with a violation 17-309:

(e) An individual may practice graduate professional counseling under supervision for a limited period of time if the individual has:

(1) A master's or doctoral degree in a professional counseling field that

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meets the educational requirements of § 17–304 of this subtitle; and

(2) Passed the National Professional Counselor Examination approved by the Board;

(g) Approval by the Board required – An individual may not practice without approval by the Board.

The Board further charged the Respondent with violation of the following provisions of its Code of Ethics, Code Md. Regs. ("COMAR") tit 10 § 58.03: (July 10, 1989).

.03 Professional Competence.

A. A counselor shall:

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

.04 Ethical Responsibility.

A. A counselor shall:

(11) Be familiar with and adhere to this chapter[;].

The Respondent was given notice of the issues underlying the Board's charges by a letter dated June 21, 2013. Accordingly, a Case Resolution Conference was held on August 16, 2013, and was attended by Carol A. Deel, LCMFT, LCPC, Board Chair, Cindy Shaw-Wilson, LCA-DC, Vice Chair, Tracey DeShields, Executive Director, and Ari Elbaum, Board Counsel. Also in attendance were the Respondent and her attorney, Steven D. Shemenski, and the Administrative Prosecutor, Roberta Gill.

Following the Case Resolution Conference, the parties and the Board agreed to resolve the matter by way of settlement. The parties and the Board agreed to the following:

FINDINGS OF FACT

1. At all times relevant hereto, The Respondent was licensed to practice as a Licensed Graduate Professional Counselor (LGPC) which is why she needed to be supervised and could not supervise others.

2. At all times relevant hereto, the Respondent served as a Clinical Supervisor at a substance abuse program (the "Program")[1] at a hospital in Baltimore City.

3. In or around January 2010, the Respondent was hired as a Clinical Supervisor at the Program with authority over the counseling staff, some of whom had many years of years of drug and alcohol counseling experience. The Respondent was in charge of scheduling and held treatment sessions with clients, as well as weekly staffing meetings with the counselors. She was also in charge of disciplining the counselors she "supervised."

4. The Respondent's actions of serving as a clinical supervisor of the Program without fulfilling the requirements under the Board's Act and regulations for licensure for that position is a violation of the Board's Act and regulations.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board finds that Respondent violated § 17-509 (8), (9), (13), (16) and, §17-309 (e) (1) and (2), and (g), and, COMAR 10.58.03.03A. (1), .04A. (11).

[1]To ensure confidentiality, the names of individuals, hospitals and healthcare facilities involved in this case,

ORDER

Based on the foregoing Findings of Fact, Conclusions of Law and agreement of the parties, it is this 18th day of ~~October~~ October, 2013, by a majority of a quorum of the Board,

ORDERED that the Respondent is hereby placed on **PROBATION** for 18 months, during which the following shall take place:

A. Ethics Course:

1. The Respondent shall enroll in and successfully complete a three (3) semester credit graduate-level Board-approved course from a regionally accredited college or university in professional, legal and ethical responsibility. The course may be an on-line course. The Respondent shall enroll in and successfully this required course within eighteen (18) months of the date of this Consent Order;
2. The Respondent shall submit the course description/syllabus to the Board for approval prior to enrolling in the course. The Board reserves the right to require the Respondent to provide further information regarding the course proposed, and further reserves the right to reject the proposed course and require submission of an alternative proposal. The Board will approve a course only if it deems the curriculum and the duration of the course adequate to fulfill the Respondent's ethical needs;
3. The Respondent shall be responsible for all costs incurred in fulfilling

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other than the Respondent, are not disclosed in this document.

this course requirement and for submitting to the Board written documentary proof of successful completion of the course; and

4. This course shall be in addition to any course required to satisfy the continuing education requirements for the applicable two (2) year licensure renewal period. The Respondent shall take and complete a Board-pre-approved ethics course, three to five semester credits, which course shall not count towards the Continuing Education Units (CEUs) necessary for relicensing;

B. <u>Supervision:</u>

1. For the first year of Probation, the Respondent shall be supervised by a Supervisor approved by the Board.

   A. During the first ONE (1) YEAR period of probation to begin on the date of execution of this Consent Order, the Respondent's counseling practice shall be supervised, at her own expense, by a Board-Approved Supervisor who is a Licensed Clinical Professional Counselor with experience and expertise in the field;

   B. As part of the approval process, the Respondent shall submit to the Board the name and professional credentials of the Licensed Clinical Professional Counselor to supervise her practice. The supervising counselor shall not be associated with the Respondent through any current or past personal, collegial, professional, or academic affiliation;

C. The Board-approved supervising Licensed Clinical Professional Counselor shall notify the Board in writing of his/her acceptance of the supervisory role of the respondent;

D. The Respondent shall provide the Board-approved Licensed Clinical Professional Counselor with a copy of the charging documents and this consent order, and whatever other written materials the Board deems relevant;

E. The Respondent shall meet **face to face** with the **supervisor BI-WEEKLY** (every two weeks) for the first six (6) months of the supervisory period; and then **MONTHLY** for the next six (6) months of the one (1) year supervisory period;

F. The supervision shall include particular attention to the Code of Ethics for professional counselors, supervisor responsibilities, and other administrative counseling responsibilities and standards;

G. The supervisor shall submit **QUARTERLY** reports to the Board detailing the ethical issues discussed and Respondent's progress. The report shall include, but not be limited to, a report of the Respondent's participation in supervisory process. Upon completion of the supervision period, the Respondent shall ensure that the supervising counselor submits a final report to the Board assessing the Respondent's practice; the Respondent has sole responsibility for ensuring that the supervisor submits the required

quarterly reports and the final report to the Board 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; In the event that the Respondent's supervisor discontinues supervising the Respondent's practice for any reason during the 12-month supervisory period, the Respondent shall be solely responsible for submitting a replacement candidate to serve as her supervisor under the terms specified above; and

I. If the Respondent fails to complete the supervision in a timely manner as set out above, the Respondent will be deemed in violation of probation and this Consent Order; and an unsatisfactory report from the Respondent's supervisor may constitute a violation of probation and of this Consent Order.

ORDERED that the Consent Order is effective as of the date of its signing by the Board; and be it

ORDERED that, should the Board receive a report that the Respondent has violated the Act or, if the Respondent violates any conditions of this Order, after providing the Respondent with notice and an opportunity for a hearing, the Board may take further disciplinary action against the Respondent, including suspension or revocation. The burden of proof for any action brought against the Respondent as a result of a breach of

the conditions of the Order shall be on the Respondent to demonstrate compliance with the Order or conditions; and be it

ORDERED that the Respondent shall practice in accordance with the laws and regulations governing the practice of professional counseling in Maryland; and be it further

ORDERED that, should the Respondent fail to demonstrate compliance, the Board may impose additional terms and conditions on the Order, as it deems necessary;

ORDERED, that for purposes of public disclosure, as permitted by Md. State Gov't. Code Ann. §10-617(h) (Repl. Vol. 2009), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law and Order, and that the Board may also disclose same to any national reporting data bank that it is mandated to report to.

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

CONSENT OF AMIE C. MYRICK

I, Amie C. Myrick, LCPC, acknowledge that I am represented by counsel, Steven D. Shemenski, and have consulted with counsel before entering 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.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had 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 provided by the law. I agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed after any such hearing.

I sign this Consent Order, voluntarily and without reservation, after having an opportunity to consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

10/21/13
Date

Amie C. Myrick, LCPC

STATE OF MARYLAND :

CITY/COUNTY OF HARFORD :

I HEREBY CERTIFY that on this 21st day of ~~September,~~ October 2013, before me, Michele Kleinman (Print Name), a Notary Public of the foregoing State and (City/County), personally appeared Amie C. Myrick, License No. LC4026, and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed, and the statements made herein are true and correct.

AS WITNESSETH my hand and notarial seal.

MICHELLE KLEINMAN
NOTARY PUBLIC STATE OF MARYLAND
MY COMMISSION EXPIRES: 8-24-16.

Michelle R Kleinman
Notary Public

My Commission Expires: 8-24-16.