

IN THE MATTER OF	*	BEFORE THE
SHANINE ANDREA BORUM, LGSW	*	MARYLAND BOARD
Respondent	*	OF SOCIAL WORK EXAMINERS
LICENSE NUMBER: G12677	*	CASE NUMBER: 1539
* * * * *		

CONSENT ORDER

On November 12, 2010, the Maryland Board of Social Work Examiners (the "Board") charged Shanine Andrea Borum, LGSW (the "Respondent") (D.O.B. 03/04/1971), license number G12677, with violating the Maryland Social Workers Act (the "Act") codified at Md. Health Occ. Code Ann. (H.O.) §§ 19-101 *et seq.* (2009 Repl. Vol.).

The pertinent provision of the Act under § 19-311 provides the following:

Subject to the hearing provisions of § 19-312 of this subtitle, the Board may deny a license to any applicant, fine a licensee, reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the applicant or licensee;

- (8) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside[;].

FINDINGS OF FACT

The Board makes the following findings of fact:

I. Background of License

1. On January 22, 2007, Respondent was initially licensed to practice graduate social work in the State of Maryland, having been issued License Number G12677.

2. On November 4, 2009, Respondent last renewed her license, which license will expire on October 31, 2011.

3. At all times relevant hereto, Respondent was licensed to practice social work in Maryland.

II. **Complaint**

4. On May 3, 2010, the Board received a written complaint from Respondent's Supervisor, the Acting Social Work Manager, an LCSW-C, at the Maryland Office of the Public Defender, where Respondent was employed as a social worker. The Complainant previously contacted the Board to inquire as to who was responsible for reporting the incident described below, and the Board requested that Complainant make an official report.

5. The Complainant wrote that Respondent was arrested for theft (date not given) and subsequently accepted Probation before Judgment as a resolution (date not given).

6. On June 4, 2010, the Board staff issued a subpoena to the District Court of Maryland for Baltimore County, requesting certified copies of the: sentencing order/report, docket entries, police report, statement of charges, criminal summons, and any other documents available to the Board or the public.

7. On June 11, 2010, the District Court of Maryland for Baltimore County sent the certified copies of the documents enumerated above to the Board.

III. Case Specific Findings

8. On February 3, 2010, an employee at Pharmacy A¹ submitted an Application for Statement of Charges with the District Court of Maryland for Baltimore County, alleging:

On or about 21 January 2010 at [Pharmacy A] at 2:15 PM, the above named defendant [Respondent] entered the store where I was working as loss prevention officer and proceeded the [sic] pharmacy counter. After purchasing a prescription she walked around the store selecting various items and then concealing them in a plastic bag, she then approached the check-out where she paid for two additional items and made no attempt to pay for the items concealed in the bag. She then left the store with all items including those unpaid for. Items taken without permission were (1) bag of cotton balls at \$2.49 each, (2) Sally Hansen Nail Care items at \$7.49 each, (1) box of Colgate toothpaste at \$4.89 each, and (1) pack of Huggies baby wipes at \$6.99 each. Total for items taken was \$29.65. [Actual total is \$29.35].

Store manager, [name withheld], was also witness to these events. All events were captured on video by the store surveillance [sic] system and are available upon request. The defendant's identity was verified from information given by her on record with company transaction profiles and further verified by Ofc. Robinson, Baltimore County Police.

9. On April 7, 2010, Respondent entered an Alford Plea² to the charge of theft, in the District Court of Maryland for Baltimore County, Case No. 4C00317160, under Md. Crim. Law Code Ann. § 7-104 (2009). The Judge issued a verdict of Probation Before Judgment, unsupervised probation for one day, commencing that day, and a \$300.00 fine.

10. On June 16, 2010, the Board Investigator sent a letter to Respondent advising her that the Board was in receipt of a complaint against her and requesting that she contact the Board investigator.

¹ The name of the pharmacy is available to Respondent upon request to the administrative prosecutor.

² An Alford Plea is a form of guilty plea where the defendant does not admit guilt or admit to the crime but acknowledges that the prosecutor has sufficient evidence to obtain a conviction in court.

11. On June 30, 2010, the Complainant notified the Board Investigator that, effective June 18, 2010, Respondent resigned her position as a social worker at the Maryland Office of the Public Defender.

12. On June 30, 2010, the Board investigator contacted Respondent by telephone. Respondent stated that she had not received the letter from the Board because she had moved. She stated that she would inform the Board of her change of address. Respondent also informed the Board investigator that she was currently employed as a social worker at a "family home" in Riverdale, Maryland.

13. On July 26, 2010, the Board received a request from Respondent to change her address.

IV. Summary of Findings

14. Respondent's entry of an Alford plea for theft of personal items from a national pharmacy chain under Md. Crim. Law Code Ann. § 7-104 (2009) is evidence of a violation of H.O. § 19-311(8) (pleads guilty to a crime involving moral turpitude).

CONCLUSIONS OF LAW

Based on the forgoing Findings of Fact, the Board concludes that Respondent committed prohibited acts under the Act, Md. Health Occ. Code Ann. § 19-311 (8). Accordingly, the Board concludes as a matter of law that Respondent was convicted of or pled guilty or nolo contendere to a felony or to a crime involving moral turpitude.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 8th day of April, 2011, by a majority of the full authorized membership of the Board considering this case:

ORDERED that Respondent's license to practice social work shall be **SUSPENDED** for three (3) months, effective the date of this Consent Order, with all three (3) months **STAYED**; and be it further

ORDERED that Respondent shall be placed on Probation for a minimum of two (2) years, beginning the effective date of this Consent Order, subject to the following conditions:

1. Within three (3) months of the date of this Consent Order, Respondent shall enroll in, and within nine (9) months of the date of this Consent Order, Respondent shall successfully complete, a Board-pre-approved individual tutorial in professional ethics;
2. The above tutorial shall be in addition to any continuing education requirements mandated for continuing licensure. The tutorial shall not count toward fulfilling other continuing education requirements that Respondent must fulfill in order to renew her license to practice social work;
3. Respondent shall authorize the Board to provide the ethics tutor with the entire investigative file, including the complaint, investigative report, the Board's Disciplinary Charges and the Consent Order;
4. Respondent agrees that the ethics tutor will send a final report to the Board regarding Respondent's participation in the tutorial;
5. Respondent shall be responsible for all costs associated with fulfilling the terms and conditions of this Consent Order;
6. There shall be no early termination of probation;
7. Respondent shall practice according to the Maryland Social Work

Practice Act and in accordance with all applicable laws; and be it further

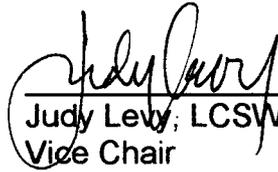
ORDERED that any violation of the terms or conditions of this Consent Order shall be deemed a violation of this Consent Order; and be it further

ORDERED that If Respondent violates any of the terms and conditions of this Consent Order, the Board, in its discretion, after notice and an opportunity for a show cause hearing before the Board, or opportunity for an evidentiary hearing before an Administrative Law Judge at the Office of Administrative Hearings if there is a genuine dispute as to the underlying material facts, may impose any sanction which the Board may have imposed in this case under §§ 19-311 and 19-311.1 of the Social Work Practice Act, including an additional probationary term and conditions of probation, reprimand, suspension, revocation and/or a monetary penalty, said violation of being proved by a preponderance of the evidence; and be it further

ORDERED that Respondent shall remain on probation until it is terminated by the Board, and that after a minimum of two (2) years, Respondent may file a written petition for termination of probation without further conditions or restrictions, but only if Respondent has satisfactorily complied with all conditions of this Consent Order, and if there are no pending complaints regarding Respondent before the Board; and be it further;

ORDERED that probation shall continue indefinitely unless Respondent files a petition for termination of probation, and said petition is granted by the Board; and be it further

ORDERED that this Consent Order is a public document pursuant to Md. State Gov't Code Ann. § 10-611 *et seq.* (2009 Repl. Vol.)



Judy Lewy, LCSW-C
Vice Chair
Maryland Board of
Social Work Examiners

CONSENT

I, Shanine Andrea Borum, LGSW, acknowledge that I am represented by counsel and have reviewed this Consent Order with my attorney, Ned Kodeck, Esquire, before signing this document.

I am aware that I am entitled to a formal evidentiary hearing before an administrative law judge of the Office of Administrative Hearings. I acknowledge the validity and enforceability of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other procedural and substantive protections to which I am entitled by law. I am waiving those procedural and substantive protections.

I voluntarily enter into and agree to abide by the foregoing Findings of Fact, Conclusions of Law, and Order and agree to abide by the terms and conditions set forth herein as a resolution of the Charges against me. I waive any right to contest the Findings of Fact and Conclusions of Law, and I waive my right to a full evidentiary hearing as set forth above, and any right to appeal this Consent Order or any adverse ruling of the Board that might have followed any such hearing.

I acknowledge that by failing to abide by the conditions set forth in this Consent Order, I may be subject to disciplinary actions, which may include revocation of my license to practice social work.

I sign this Consent Order voluntarily, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order, consisting of nine (9) pages.

10/21/11
Date

Shanine Andrea Borum, LGSW
Shanine Andrea Borum, LGSW
Respondent

Reviewed and approved by:

Ned Kodeck
Ned Kodeck, Esquire
Attorney for Respondent

NOTARY

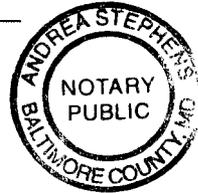
STATE OF MARYLAND
~~CITY/COUNTY~~ of Baltimore

I HEREBY CERTIFY that on this 1st day of April, 2011,
before me, a Notary Public of the State and County aforesaid, personally appeared
Shanine Andrea Borum, LGSW, and made oath in due form of law that the foregoing
was her voluntary act and deed.

AS WITNESS my hand and Notarial Seal.

Andrea Stephens
Notary Public

My Commission Expires: 12/7/14



Andrea Stephens, Notary Public
Baltimore County
State Of Maryland
My Commission Expires 12/7/14