

**Danna Carroll**

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BOARD OF SOCIAL  
WORK EXAMINERS

Date: December 9, 2011

Daniel Buccino, LCSW-C, BCD, Chair  
Maryland Board of Social Work Examiners  
4201 Patterson Avenue  
Baltimore, Maryland 21215

RE: Surrender of License to Practice Social Work  
License Number: 11926  
Case Number: 11-1634

Dear Mr. Buccino and Members of the Board:

Please be advised that I have decided to **SURRENDER** my license to practice social work in the State of Maryland, License Number 11926 (D.O.B. 07/16/72).

I understand that by surrendering my license, I may not engage in the practice of social work, in any capacity; that is I may not apply the theories, knowledge, procedures, methods, or ethics derived from a formal educational program in social work to restore or enhance social functioning of individuals, couples, families, groups, organization, or communities through: assessment; formulating diagnostic impressions; planning; intervention; evaluation of intervention plans; case management; information and referral; counseling that does not include diagnosis or treatment of mental disorders; advocacy; consultation; education; research; community organization; or development, implementation, and administration of policies, programs, and activities, or otherwise engage in the practice of social work as it is defined in the Maryland Social Workers Act (the "Act"), Md. Health Gen. Code Ann. ("H.G.") § 19-101, *et seq.*, including supervision of other social workers; and evaluation, diagnosis, and treatment of psychosocial conditions and mental disorders and the provision of psychotherapy.

In addition, I will refrain from identifying myself as a practitioner of social work; I will remove all signs or similar advertisements that indicate authority to practice social work; and I will not use letterhead or business cards indicating authority to practice social work.

As of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual in the State of Maryland. I understand that this Letter of Surrender is a **PUBLIC** document and on the Board's acceptance becomes a **FINAL ORDER** of the Board.

Letter of Surrender  
Danna Carroll  
License Number: 11926  
Case Number: 11-1634  
Page 2 of 6

RECEIVED

NOV 17 2011

BOARD OF SOCIAL  
WORK EXAMINERS

My decision to surrender my license to practice social work in the State of Maryland has been prompted by an investigation of my licensure by the Maryland State Board of Social Work Examiners (the "Board") and the Office of the Attorney General and resulting charges under the following provisions of the Act, H.O. 19-311:

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:

- (4) Commits any act of gross negligence, incompetence, or misconduct in the practice of social work;
- (5) Knowingly violates any provision of this title;
- (6) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work; and
- (7) Violates any provision of this title or regulations governing the practice of social work adopted and published by this Board[.]

The charges allege that I violated the following regulations:

COMAR 10.42.03.04.A The licensee may not engage in sexual misconduct with a client or supervisee. Sexual misconduct includes but is not limited to:

- (1) Inappropriate sexual language;
- (2) Sexual exploitation; [and]
- (4) Sexual behavior[.]

COMAR 10.42.03.04B Concurrent Sexual Relationships. The licensee may not engage in either consensual or forced sexual behavior with:

- (1) A client[.]

COMAR 10.42.03.04C Relationships with Former Clients

- (1) Except as set forth in §C(3) of this regulation, the licensee may not engage in sexual behavior with a former client.
- (2) The licensee may not terminate professional services or a professional relationship with a client in order to enter into a nonprofessional, social, or sexual relationship with the client or an individual with whom the client has a close personal relationship.

10.42.03.05C The licensee may not engage in sexual misconduct with either current or former clients.

The investigation was based on a complaint to the Board alleging that I engaged in a personal and sexual relationship with a client. The Board's investigation revealed that in July, 2010, I began treating Patient A<sup>1</sup>, and that on or about February 16, 2011, several months into the therapeutic relationship, the relationship became personal and sexual in nature. Thereafter, I terminated my professional relationship with Patient A, and I engaged in a personal and sexual relationship with her until approximately April, 2011. As a result of the investigation, on September 9, 2011, the Board issued a "Notice of Intent to Revoke Social Work License" in Board Case Number 11-1634. (See Attachment 1.)

I have decided to surrender my license to practice social work in the State of Maryland in order to resolve this matter and to avoid prosecution of the charges against me by the Board. I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender. I acknowledge that the Office of the Attorney General has legally sufficient evidence to prove by a preponderance of the evidence at an administrative hearing that I violated the act as detailed herein.

I understand that by executing this Letter of Surrender I am waiving any right to contest any charges that would issue from the Board's investigative findings and its vote to issue charges in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal.

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<sup>1</sup> For confidentiality purposes, the patient's name has not been identified in this Letter of Surrender. The identity of Patient A is known to me and to the Board.

Letter of Surrender  
Danna Carroll  
License Number: 11926  
Case Number: 11-1634  
Page 4 of 6

RECEIVED

NOV 17 2011

BOARD OF SOCIAL  
WORK EXAMINERS

I acknowledge that on or before the effective date of this Letter of Surrender, I shall present to the Board my Maryland clinical social work license, including any renewal certificates and wallet-sized renewal cards.

I understand that the Board will advise the Association of State Boards of Social Work, the National Practitioner's Data Bank, and the Health Care Integrity Data Bank, and any other required entities of this Letter of Surrender, and in response to any inquiry, will advise that I have surrendered my license in lieu of disciplinary action under the Act as a resolution of the matters pending against me. I also understand that, in the event that I would apply for licensure in any form in any other state or jurisdiction, that this Letter of Surrender, and all underlying documents, may be released or published by the Board to the same extent as a Final Order that would result from disciplinary action pursuant to Md. State Gov't Code Ann. § 10-611 *et seq.* (2009 Repl. Vol.). Finally, I understand that this Letter of Surrender is considered a disciplinary action by the Board.

I further recognize and agree that by submitting this Letter of Surrender my license will remain surrendered for a **minimum of thirty months (30) months**. I agree that I will not apply for reinstatement of my license prior to having fulfilled the following terms and conditions set forth in this Letter of Surrender, as well as any additional requirements determined by the Board prior to my application:

1. The Board will not consider reinstatement of my license unless and until I have completed a Board-approved professional ethics course with a concentration on boundary violations;
2. The Board will not consider reinstatement of my license unless and until I have completed a Board-approved one-on-one ethics tutorial focusing on the specific facts and issues of this case;
3. The Board will not consider reinstatement of my license unless and until I have been evaluated by a Board-approved mental health professional that addresses my fitness to practice social work and recommends that my license be reinstated; and
4. The Board will not consider reinstatement of my license unless and until I complete all continuing education requirements as mandated for renewal.

If and when my license is reinstated by the Board, I agree that my license will be placed on **probation** for a period to be determined by the Board, during which time my practice will be supervised by a Board-approved supervisor, and I will be required to comply with any other conditions to be determined by the Board at that time.

Letter of Surrender  
Danna Carroll  
License Number: 11926  
Case Number: 11-1634  
Page 5 of 6

RECEIVED

NOV 17 2011

BOARD OF SOCIAL  
WORK EXAMINERS

I understand that I will bear the costs associated with my compliance with the above terms and conditions. I also understand that if I apply for reinstatement or a new Maryland license, I bear the burden of demonstrating to the Board that I am professionally and mentally competent to practice social work under the Act and that I possess good moral character, as required under H.O. § 19-302(a)(3). I understand that when applying for reinstatement or new licensure, I approach the Board in the same posture as one whose license has been revoked based on the facts contained herein and that my application may be accepted or denied by the Board in its sole discretion.

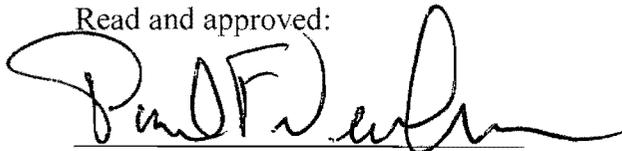
I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have consulted with an attorney before signing this Letter of Surrender. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,

A handwritten signature in black ink, appearing to be 'Danna Carroll', with a long horizontal line extending to the right.

Danna Carroll

Read and approved:

A handwritten signature in black ink, appearing to be 'Paul Newhouse', written in a cursive style.

Paul Newhouse, Esq.  
Attorney for Danna Carroll

Letter of Surrender  
Danna Carroll  
License Number: 11926  
Case Number: 11-1634  
Page 6 of 6

RECEIVED

NOV 17 2011

BOARD OF SOCIAL  
WORK EXAMINERS

NOTARY SEAL

STATE OF MARYLAND  
CITY/COUNTY: *BALTIMORE*

I HEREBY CERTIFY that on this 11<sup>th</sup> day of November, 2011, before me, a Notary Public of the State and City/County aforesaid personally appeared Danna Carroll and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was her voluntary act and deed.

*Joanne Baker*  
Notary Public  
MD Comm. Exp 11/20/13

ACCEPTANCE

On behalf of the Maryland Board of Social Work Examiners, on this 9<sup>th</sup> day of December, 2011, I accept Danna Carroll's **PUBLIC SURRENDER** of her license to practice social work in the State of Maryland.

*Judith M. Levy*  
~~Daniel Buccino, LCSW-C, BCD, Chair~~  
Maryland Board of Social Work Examiners  
JUDITH M. LEVY, LCSW-C, Vice Chair

NOV 17 2011

BOARD OF SOCIAL WORK EXAMINERS

**IN THE MATTER OF**  
**DANNA CARROLL, LCSW-C**  
**Respondent**

\* **BEFORE THE**  
\* **MARYLAND**  
\* **BOARD OF SOCIAL WORK**  
\* **EXAMINERS**

**License Number: 11926**

\* **Case Number: 11-1634**

\* \* \* \* \*

**NOTICE OF INTENT TO REVOKE SOCIAL WORK LICENSE**

The Maryland Board of Social Work Examiners (the "Board") hereby charges Danna Carroll, LCSW-C (the "Respondent") (D.O.B. 7/16/72), license number 11926, pursuant to the Maryland Social Workers Act (the "Act") codified at Md. Code Ann., Health Occ. §§ 19-101 *et seq.* (2009 Repl. Vol.).

The pertinent provisions of the Act under § 19-311 provide 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;

- (4) Commits any act of gross negligence, incompetence, or misconduct in the practice of social work;
- (5) Knowingly violates any provision of this title;
- (6) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work; [or]
- (7) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board[.]

The pertinent provisions of Md. Regs. Code tit. ("COMAR") 10 § 42.03.04 provide the following:

COMAR 10.42.03.04A The licensee may not engage in sexual misconduct with a client or supervisee. Sexual misconduct includes but is not limited to:

- (1) Inappropriate sexual language;
- (2) Sexual exploitation; [and]
- (4) Sexual behavior[.]

COMAR 10.42.03.04B Concurrent Sexual Relationships. The licensee may not engage in either consensual or forced sexual behavior with:

- (1) A client[.]

COMAR 10.42.03.04C Relationships with Former Clients

- (1) Except as set forth in §C(3) of this regulation, the licensee may not engage in sexual behavior with a former client.
- (2) The licensee may not terminate professional services or a professional relationship with a client in order to enter into a nonprofessional, social, or sexual relationship with the client or an individual with whom the client has a close personal relationship.

10.42.03.05C The licensee may not engage in sexual misconduct with either current or former clients.



NOV 17 2011

BOARD OF SOCIAL  
WORK EXAMINERS

## ALLEGATIONS OF FACT<sup>1</sup>

The Board bases its charges on the following facts that the Board has reason to believe

are true:

### **I. Factual Background**

1. At all times relevant hereto, the Respondent was and is licensed to practice social work in the State of Maryland.

2. The Respondent was originally licensed to practice social work in the State of Maryland on March 7, 2003, under License Number 11926. The Respondent's license is currently active and will expire on October 31, 2011.

3. At all times relevant hereto, the Respondent was employed as a therapist providing individual, family and group therapy in a private practice setting located at 5710 Newbury Street, Baltimore, Maryland 21209.

### **II. Complaint**

4. On February 8, 2011, the Board received a complaint from Patient A's sister alleging that the Respondent had engaged in a sexual relationship with Patient A.<sup>2</sup>

5. The complainant stated that Patient A and the Respondent were "spending their sessions talking about their sexual attraction for each other."

6. According to the complainant, "[the Respondent] wants to have a relationship with [Patient A], but she doesn't want it to just be sex; [the Respondent] calls and emails [Patient A's] home very frequently; [the Respondent] tells [Patient A] that she can't stop thinking about her;

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<sup>1</sup> The statements of the Respondent's conduct with respect to the matters identified herein are intended to provide the Respondent with notice of the alleged charges. They are not intended as, and do not necessarily represent, a complete description of the evidence, either testimonial or documentary, to be offered against the Respondent in connection with these charges.

<sup>2</sup> Patient A's identity is known to the Respondent but is not listed here in order to protect the patient's privacy.

that certain songs remind her of [Patient A]; that if [Patient A] hugs her...she doesn't think she'd be able to stop herself from taking it further; that it kills [the Respondent] to think of [Patient A] ever stopping her sessions with her; that [the Respondent] made a special effort to make it in to their session ...when there was that storm with 8 inches of snow, and that she wouldn't have done that for any other client; that she knows this is unprofessional...."

7. The complainant further stated that Patient A had revealed to her that "[o]n 2/3/11, the relationship became physical...."

8. Upon review of the complaint, the Board opened an investigation into this matter.

9. Based on its investigation, the Board makes the following allegations:

### **III. Case Specific Allegations**

10. On April 11, 2011, Patient A was interviewed under oath by the Board's investigator.

11. According to Patient A, she began treatment with the Respondent on or about July 18, 2010 to address issues concerning weight loss.

12. Patient A stated that after a few months of regular sessions with the Respondent, the two expressed their mutual sexual attraction for one another. According to Patient A, this attraction became the main issue of the therapy sessions.

13. According to Patient A, during a therapy session on or about February 3, 2011, she and the Respondent "[s]pent time making out heavily....did not have sex, but [the Respondent] was undressed from the waist up. [Patient A] kissed [the Respondent's] breasts and had her hand between [the Respondent's] legs."

14. According to Patient A, the Respondent then "freaked out and left the office." Patient A stated that initially the Respondent tried to push her away, "but then it was pretty easy to push her back, several times."



15. A few days later, Patient A and the Respondent spoke on the phone because Patient A “thought that maybe [she] had been used.” Patient A complained that she felt “rejected” and “hurt,” but the Respondent stated she did not have time to speak with Patient A.

16. Patient A then reported her encounters with the Respondent to her mother and sister because she was “very depressed. beyond depressed.”

17. Shortly thereafter, the Respondent emailed Patient A and asked to talk. During their conversation, Patient A and the Respondent agreed to meet at the Respondent’s office.

18. Patient A stated that she resumed seeing the Respondent on Tuesdays and Thursdays at the Respondent’s office, and the relationship became physical. At Patient A’s request, the Respondent reimbursed Patient A approximately \$400 in co-pays for those visits neither one of them regarded as therapy sessions.

19. According to Patient A, she and the Respondent also began seeing each other outside of the Respondent’s office and engaged in a sexual relationship at Patient A’s home.

20. On April 20, 2011, the Respondent was interviewed by the Board’s investigator.

21. The Respondent stated that during her last session with Patient A, on or about February 1, 2011, Patient A touched her leg and attempted to remove the Respondent’s blouse. The Respondent maintains that Patient A’s advances were non-consensual at that time.

22. The Respondent stated that when Patient A refused to stop touching her, she left her office, got in her car and drove away.

23. The Respondent corroborated Patient A’s allegation that on or about February 10, 2011, the two of them spoke on the phone and agreed to see one another.

24. The Respondent admitted that she engaged in a sexual relationship with Patient A that commenced on or about February 16, 2011 and lasted until April 4, 2011.

25. The Respondent stated that she realizes “[she] has taken [her] relationship, which is one of power, and essentially used it against [Patient A], who is powerless or feels powerless. etc.”

26. The Respondent’s conduct, as described above, constitutes, in whole or in part, grounds for discipline pursuant to Health Occ. § 19-311:

- (4) Commits any act of gross negligence, incompetence, or misconduct in the practice of social work;
- (5) Knowingly violates any provision of this title;
- (6) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work;
- (7) Violates any provision of this title or regulations governing the practice of social work adopted and published by this Board[.]

27. The Respondent’s conduct, as described above constitutes, in whole or in part, violation of one or more of the following provisions of COMAR:

10.42.03.04A Sexual Misconduct. A The licensee may not engage in sexual misconduct with a client or supervisee. Sexual misconduct includes but is not limited to:

- (1) Inappropriate sexual language;
- (2) Sexual exploitation; [and]
- (4) Sexual behavior[.]

10.42.03.04B Concurrent Sexual Relationships. The licensee may not engage in either consensual or forced sexual behavior with:

- (2) A client[.]

10.42.03.04C Relationships with Former Clients.

- (1) Except as set forth in §C(3) of this regulation, the licensee may not engage in sexual behavior with a former client.
- (2) The licensee may not terminate professional services or a professional relationship with a client in order to enter into a nonprofessional, social, or sexual relationship with the client or an individual with whom the client has a close personal relationship.

10.42.03.05C The licensee may not engage in sexual misconduct with either current or former clients.

**NOTICE OF POSSIBLE SANCTIONS**

If, after a hearing, the Board finds that there are grounds for action under Health Occ. § 19-311(4), (5), (6), or (7), the Board may impose disciplinary sanctions against the Respondent's license, including revocation, suspension, or reprimand, and may place the Respondent on probation, and/or may impose a monetary fine under H.O. §19-311.1.

**NOTICE OF OPPORTUNITY FOR A HEARING**

In accordance with the Act and the Administrative Procedures Act, codified at Md. State Gov't Code Ann. § 10-101 *et seq.*, the Board hereby notifies the Respondent of an opportunity for a hearing **BEFORE** the Board makes a final decision in this case. The Respondent must request a hearing in writing **WITHIN THIRTY DAYS** of the Respondent's receipt of this notice. The written request should be made to:

James T. Merrow, Executive Director  
State Board of Social Work Examiners  
Department of Health & Mental Hygiene  
4201 Patterson Avenue  
Baltimore, Maryland 21215

with copies mailed to:

Francesca Gibbs, Assistant Attorney General  
Office of the Attorney General  
Health Occupations Prosecution & Litigation Unit  
300 West Preston Street, Suite 207  
Baltimore, Maryland 21201

Delia Turano Schadt, Assistant Attorney General  
Office of the Attorney General  
300 West Preston Street, Suite 210  
Baltimore, Maryland 21201

RECEIVED

NOV 17 2011

BOARD OF SOCIAL  
WORK EXAMINERS

If a request for hearing is made, a hearing will be scheduled before the Office of Administrative Hearings. If the Board does not receive a written request for a hearing within thirty days of the Respondent's receipt of this Notice, the Board will sign the attached Final Order to Revoke the Respondent's social work license. That document will be a public document under the Maryland Public Information Act, Md. Code Ann., State Government §§ 10-611, *et seq.* (2009 Repl. Vol.).

9/9/11  
Date

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

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NOV 17 2011  
BOARD OF SOCIAL  
WORK EXAMINERS