

**IN THE MATTER OF**

**DEDRIE MAY SMITH, LCSW-C**

**Respondent**

**LICENSE NUMBER: 17512**

\*

**BEFORE THE**

\*

**MARYLAND BOARD**

\*

**OF SOCIAL WORK EXAMINERS**

\*

**CASE NUMBER: 2011-1667**

\* \* \* \* \*

**CONSENT ORDER**

On May 11, 2012, the Maryland Board of Social Work Examiners ("the Board") issued a "Notice of Charges under the Maryland Social Work Act" to **DEDRIE MAY SMITH, LCSW-C (the "Respondent")** license number **17512**, based on alleged violations of the Maryland Social Work Examiners Act ("the Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 19-101 *et seq.* (2009 Repl. Vol.).

The Board charged the Respondent under the following provisions of 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; to wit:

COMAR 10.42.03.05. Relationships.

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

D. The licensee may not engage in sexual misconduct with a client, supervisee, student, trainee, or colleague over whom the licensee exercises professional authority.

## **FINDINGS OF FACT**

### **I. Factual Background**

1. At all times relevant to the statements herein, the Respondent was a licensed graduate level social worker in the State of Maryland. Her license number was G11994. On October 14, 2011, the Respondent became a licensed clinical social worker, having been issued license number 17512. Her license is currently active and is due to expire on October 31, 2013.

2. At all times relevant to the statements herein, the Respondent was employed as a social worker for Contemporary Services, Inc. ("Contemporary"), a human services agency that provides foster care programs, group homes, and outpatient mental health clinics to individuals and families. Contemporary is headquartered in Hyattsville, Maryland but has an office in Baltimore, Maryland, where the Respondent was employed.

### **II. Complaint**

3. On or about April 21, 2011, the Board received a complaint from a foster parent (the "complainant") alleging that the Respondent engaged in a personal relationship with a client.

4. Thereafter, the Board opened the case for investigation.

5. In February 2010 the complainant's then-boyfriend, Mr. B, began taking classes at Contemporary to become a foster parent. The complainant, who was already a foster parent, and Mr. B attended the first class together.

6. As part of her employment at Contemporary, the Respondent taught the foster care classes. Mr. B was one of the prospective foster care parents in her class and he attended all six classes.

7. The Respondent also completed the home study for Mr. B's foster care application.

8. The Respondent signed the home study, dated July 30, 2010, as a "Home Study Consultant," and in doing so, "recommended that [Mr. B's] home be approved" to house a foster child.

9. According to the complainant, the Respondent and Mr. B became involved in a romantic relationship while Mr. B was completing the requirements to become a foster care parent.

10. The Respondent stated that Mr. B asked her out on a date in approximately August 2010, but she told him that she didn't feel that it would be appropriate for her to date a prospective foster parent.

11. Mr. B resigned from the foster care program in September 2010.

12. During an interview with the Board's investigator, the Respondent disclosed that she became romantically involved with Mr. B in approximately October 2010, after he resigned from the foster care program.

13. No foster children were ever placed with Mr. B.

14. According to the Respondent, "the kids are the clients; the parents are technically employees because we pay them to do a service for the clients. So I never considered [Mr. B] a client."

15. In furtherance of its investigation, the Board forwarded the case for to an expert for a case review. The practice reviewer, who is a licensed clinical social worker, opined that Mr. B was the Respondent's client during the home study process in 2010 because:

- a. The Respondent met Mr. B while she was completing her professional responsibilities;
- b. The Respondent was in a position of authority because her job responsibilities included educating prospective foster parents;
- c. During home studies, the confidential nature of the social worker interaction is at the forefront of communication;
- d. The social worker must view the potential foster care parent as a client protected by confidentiality due to the personal information elicited during the home study process;
- e. Information gathered during the home study process must be used for professional purposes only and unbiased decisions must be made based on that information; and/or
- f. A foster care home study is a professional assessment.

#### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated the following provisions of the Act: Commits any act of

gross negligence, incompetence, or misconduct in the practice of social work, in violation of H.O. §19-311(4); Knowingly violates any provision of this title, in violation of H.O. §19-311(5); Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work, in violation of H.O. §19-311(6); Violates any provision of this title or regulations governing the practice of social work adopted and published by this Board, in violation of H.O. §19-311(7); to wit: COMAR 10.42.03.05C The licensee may not engage in sexual misconduct with either current or former clients; and COMAR 10.42.03.05D The licensee may not engage in sexual misconduct with a client, supervisee, student, trainee, or colleague over whom the licensee exercises professional authority.

#### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, on this 14<sup>th</sup> day of December, 2012, by a majority of the full authorized membership of the Board considering this case, it is hereby

**ORDERED** that the Respondent's license to practice social work in the State of Maryland is **SUSPENDED** for a period of **TWO YEARS**; and it is further

**ORDERED** that the suspension of the Respondent's license is hereby **IMMEDIATELY STAYED**; and it is further

**ORDERED** that **on or before March 31, 2013**, the Respondent shall pay a fine in the amount of **\$2,000** to the Maryland Board of Social Work Examiners; and it is further

**ORDERED** that the Respondent shall be placed on Board-supervised probation for a period of at least **TWO (2) YEARS** and until the following terms and conditions are fully and satisfactorily complied with:

1. The Respondent's status as a licensed clinical social worker will be listed in the Board's computer records and website as being on "Probation";

2. Within **six (6) months** of the effective date of this Consent Order, the Respondent shall enroll in and successfully complete a Board-approved course on professional ethics, specializing in establishing and maintaining boundaries. The Respondent shall provide the Board documentation indicating her completion of the course;

3. The Respondent is solely responsible for furnishing the Board with adequate written verification that she has completed the courses;

4. The Respondent may not use any continuing education credits earned through taking the required courses/tutorials to fulfill any continued education requirements that are mandated for licensure renewal in this State;

5. During the first year of the probationary period, the Respondent may not perform home studies in her capacity as a social worker; and

6. The Respondent shall practice social work according to the Maryland Social Work Act and in accordance with all applicable laws, statutes and regulations pertaining to the practice of social work; and it is further

**ORDERED** that after two (2) years from the date of this Consent Order, the Respondent may submit a written petition to the Board requesting termination of probation. After consideration of the petition, the probation may be terminated, through

an order of the Board, or a designated Board committee. The Board, or designated Board committee, will grant the termination if the Respondent has fully and satisfactorily complied with all of the probationary terms and conditions, including the full payment of the fine, and there are no pending complaints related to the charges; and it is further

**ORDERED** that if the Respondent violates any of the terms and conditions of Probation and this Consent Order, the Board, in its discretion, after notice and an opportunity for a show cause hearing before the Board, may impose any sanction which the Board may have imposed in this case, including a probationary term and conditions of probation, reprimand, suspension, lifting the stay of suspension, revocation and/or a monetary penalty, said allegations of violation of the terms and condition of this Consent Order shall be proven by a preponderance of the evidence; and it is further

**ORDERED** that the Respondent is solely responsible for all costs incurred in fulfilling the terms and conditions of the Consent Order; and it is 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. and 2010 Supp.), and is reportable to any entity to which the Board is obligated to report.

12/14/12  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Judy Levy, LCSW-C, BCD, Board Chair  
State Board of Social Work Examiners

**CONSENT**

I, Dedrie May Smith, LCSW-C, acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

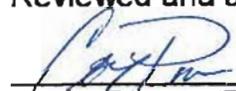
I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections as provided by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I waive my right to appeal any adverse ruling of the Board that might have followed any such hearing.

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

12/15/12  
Date

  
Dedrie May Smith, LCSW-C, Respondent

Reviewed and approved by:

  
Corey Pierce, Esq. 12/13/2012  
Attorney for the Respondent

**NOTARY**

**STATE OF MARYLAND**

**CITY/COUNTY OF** Anne Arundel

I HEREBY CERTIFY that on this 15 day of December, 2012, before me, a Notary Public of the foregoing State personally appeared Dedrie May Smith, LCSW-C 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.

  
Notary Public

My Commission Expires: 7.3.2014

