

IN THE MATTER OF

AMY LYNN EASLEY, LCSW-C

Respondent

LICENSE NUMBER: 09465

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BEFORE THE

MARYLAND BOARD

OF SOCIAL WORK EXAMINERS

CASE NUMBER: 11-1650

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CONSENT ORDER

On January 13, 2012, the Maryland Board of Social Work Examiners ("the Board") issued a "Notice of Charges under the Maryland Social Work Act" to **AMY LYNN EASLEY, LCSW-C (the "Respondent")** license number **09465**, 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. and 2011 Supp.).

Based upon the allegations made in the Complaint and the Board' investigation, the Board charged Ms. Easley 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[.]

BACKGROUND

On Thursday, March 29, 2012, the Respondent appeared before members of the Board and the Board's counsel for a Case Resolution Conference (CRC) to discuss the potential resolution of the Charges by consent. At the conclusion of the CRC, the Respondent agreed to enter into this Consent Order to resolve the pending charges and to avoid the expense and time of proceeding to an administrative hearing. The Respondent and the Board agreed to the inclusion of Findings of Fact and Conclusions of Law as required by the Board, and with the terms and conditions set forth herein. The Respondent denies the allegations of wrongdoing by her former client and denies any violation of the Act.

FINDINGS OF FACT

The Board finds the following:

I. Factual Background

1. At all times relevant hereto, the Respondent was and is licensed to practice clinical social work in the State of Maryland. The Respondent was initially licensed to practice social work in the State of Maryland on August 5, 1997, having been issued license number 09465. Her license is currently active and is due to expire on October 31, 2013.

2. 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 8109 Harford Road, Baltimore, Maryland 21234. The Respondent also maintains an office in her home where she sees patients.

II. Complaint

3. On or about April 5, 2011, the Board received a complaint from the Respondent's former patient ("Patient A") alleging that the Respondent was unprofessional in her treatment of Patient A and Patient A's partner ("Patient B").

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

III. Case Specific Allegations

A. The August 12, 2008 Letter

5. The Respondent treated Patient A and Patient B for individual and co-parenting couples therapy from April 2008 until November 2009.¹ The Respondent continued to see Patient A for individual therapy until April 3, 2011.

6. According to Patient A, she and Patient B were involved in a custody dispute and their custody case was scheduled for a trial.

7. Patient A alleged that Patient B produced a document, a letter dated August 12, 2008, that she intended to use during the custody case. The letter was purportedly written and signed by the Respondent, and contains an overview of Patient A and Patient B's therapy with the Respondent that is not complimentary to Patient A.

8. The letter appears to have been drafted on the Respondent's letterhead and the bottom of the letter reflects the home facsimile number from the Respondent's home office.²

¹ Patient A and Patient B are the parents of a minor child.

² During the course of the Board's investigation, the investigator consulted with the Baltimore County Police forensics lab and received confirmation that information could be entered on any fax machine to give the appearance that the letter was faxed from Respondent's home office.

9. Patient B testified under oath, during a deposition in her custody case with Patient A that the letter was prepared by the Respondent.

10. During an interview with the Board's investigator, the Respondent denied writing the letter, and stated her belief that the letter may have been fabricated by Patient B.

11. In addition, Patient A stated that she brought a friend ("Witness A") to her final session with the Respondent on March 28, 2011. Patient A stated that she wanted Witness A to be present for a conversation with the Respondent regarding the August 12, 2008 letter.

12. According to Witness A, the Respondent "became defensive, and denied any knowledge of this letter." Witness A further stated that when the Respondent couldn't explain how [the letter] was faxed from her home fax machine, "she became hysterical, crying and irrational, even speculating that someone broke into her house and faxed the letter." Witness A stated that the Respondent "was sitting curled up in a chair, with legs drawn up (in a fetal position) crying and at times yelling that she didn't know where the letter originated."

13. Witness A stated that the Respondent commented that Patient B needed to "be in rehab" and then acknowledged that she violated HIPAA in making that comment.

B. Patient B's File

14. According to Patient A, during one of her sessions, the Respondent read excerpts of her notes from Patient B's sessions to Patient A, who recorded that

information using a notepad and pen provided by the Respondent. The information was for use during Patient A and Patient B's custody case.

15. Patient A stated that the Respondent said, "I [the Respondent] can't get in trouble if it's in your [Patient B's] handwriting." During an interview with the Board's investigator, Patient A stated that the Respondent "went through my file and she found things that were positive and good, and she went through our co-parenting file and found things that were challenges that I needed to remember to bring up to my attorney, and she went through [Patient B's] file and noted things to me that were of concern that I needed to, you know, kind of prep an issue about during court."

C. Patient A's Hospitalization / Protective Order

16. Patient A also alleged that in June 2008, the Respondent encouraged her to check herself into a hospital to regulate her psychiatric medications, which Patient A did. Patient A stated that while she was hospitalized, Patient B filed for a protective order against Patient A at the Respondent's urging because Patient A would be "volatile" after her discharge until her medication took effect.

17. Patient A stated that although she and Patient B were engaged in co-parenting sessions with the Respondent, at no time did Patient A give the Respondent permission to discuss her individual treatment with Patient B.

D. Intensive Therapeutic Weekend Retreat

18. In her complaint, Patient A further alleged that the Respondent suggested that they go away for the weekend on an intensive therapeutic weekend retreat to work through her issues.

19. During Patient A's interview with the Board investigator, she stated that the Respondent suggested staying in a hotel for the retreat.

20. Patient A booked and paid for a single room with two beds at a Hunt Valley, Maryland hotel from November 6-9, 2008.

21. Patient A stated that the Respondent brought a bag full of workbooks, many of which were tied to "biblical, religious stuff. The Respondent also gave Patient A "biblical a.m. and p.m. prescriptions," which was a novelty prescription bottle filled with psalms and Biblical quotes that you read once in the morning and once in the evening "to get you through the day."

22. Further, Patient A stated that the idea "was that we drank tea, we talked about different things that happened in my life—abuse or otherwise—and then I wrote them on a piece of paper and we would kind of pray about it, throw it in the fire, it would burn up, and we would never talk about it again and it would just dissolve."

23. Patient A stated that the Respondent had a lot of health issues and had to provide Patient A with detailed information about the Respondent's health issues because she had to take a lot of medication.

24. Patient A described the retreat as both social and therapeutic, as she and the Respondent ate at least one meal at a restaurant and saw a movie, *The Secret Life of Bees*, paid for by the Respondent.

E. Patient A's Prescription Medication

25. Patient A also alleged that in 2011, she had difficulty obtaining her prescription medication (Lamotrigine³) and mentioned this problem during one of her sessions with the Respondent. Shortly thereafter, the Respondent provided Patient A with an unlabeled prescription bottle of Lamotrigine.

26. Although the majority prescription label had been removed, the prescription number was still visible. Further investigation by the Board revealed that the prescription was issued to the Respondent's son.

27. The Respondent denies having provided any medication to Patient A.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concluded that, if proven true, the factual allegations would support a finding as a matter of law that the Respondent violated H.O. §19-311(4) ,(5) and (6), as set forth at the outset of this Order. The Board dismisses the charge under H.O. §19-311(7).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the agreed upon terms of the resolution of the Charges by consent at the CRC, on this 17th day of May, 2012, by a majority of the full authorized membership of the Board considering this case, it is hereby

³ Lamotrigine (brand name: Lamictol) is used to treat seizure disorders in adults and children, as well as bipolar disorder in adults.

ORDERED that the Respondent's license to practice social work in the State of Maryland is **SUSPENDED** for a period of **SIX (6) MONTHS**, with all but **THIRTY (30) DAYS STAYED**; 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. The Respondent shall choose a probation supervisor from a list of Board-approved supervisors;

3. The probation supervisor shall supply the Board with quarterly, written reports on the Respondent's practice. The Respondent shall provide the probation supervisor with a copy of this Consent Order prior to their initial meeting, and the Board may release to the probation supervisor any portion of the investigative file as is deemed necessary by the Board and/or the probation supervisor, provided that a copy of the investigative file is also released to the Respondent.

4. A negative report from the probation supervisor may result in a violation of this Consent Order and further sanctions at the Board's discretion, after notice and opportunity for hearing;

5. The Respondent shall abide by any and all recommendations made by the probation supervisor. Failure to cooperate and failure to abide by the probation supervisor's recommendations shall be deemed a violation of the Order;

6. Within six (6) months of the effective date of this Consent Order, the Respondent shall enroll in and successfully complete a Board-approved, one-on-one ethics tutorial. After the successful completion of the one-on-one ethics tutorial, the instructor shall provide the Board with a written report detailing the Respondent's participation in and completion of the course;

7. Within six (6) months of the effective date of this Consent Order, the Respondent shall enroll in and successfully complete a Board-approved course in understanding and complying with the Health Insurance Portability and Accountability Act ("HIPAA");

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

9. 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; and

10. 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 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.

5/11/12
Date



Daniel Buccino, LCSW-C, BCD, Board Chair
State Board of Social Work Examiners

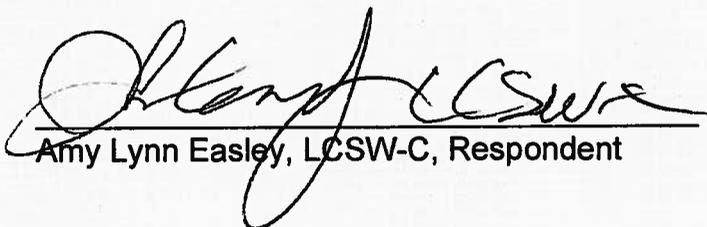
CONSENT

I, Amy Lynn Easley, 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.

4/20/12
Date


Amy Lynn Easley, LCSW-C, Respondent

Reviewed and approved by:


R. Scott Krause, Esq.
Attorney for the Respondent

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF Carroll :

I HEREBY CERTIFY that on this 13th day of April, 2012, before me, a Notary Public of the foregoing State personally appeared Amy Lynn Easley, 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.

Arlene Grantland
Notary Public

My Commission Expires: 11-30-2013

