

IN THE MATTER OF	*	BEFORE THE STATE
JOHN GALZERANO, LCSW-C	*	BOARD OF SOCIAL WORK
Respondent	*	EXAMINERS
License Number: 14824	*	Case No. 14-1962

* * * * *

CONSENT ORDER

On August 14, 2015, the Maryland Board of Social Work Examiners ("the Board") charged **JOHN GALZERANO, LCSW-C** (the "**Respondent**"), License Number **14824** with violating the Maryland Social Work Examiners Act ("the Act") codified at Md. Health Occ. Code Ann. ("H.O.") §§ 19-101 *et seq.* (2014 Repl. Vol.) and Code Md. Regs. ("COMAR"), tit. 10, § 42.03.01 *et seq.*

The Board charged the Respondent with violating the following provisions of H.O. § 19-311 and COMAR:

Subject to the hearing provisions of §19-213 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) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work;
- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board[and]
- (10) Practices social work with an unauthorized person or supervises or aids an unauthorized person in the practice of social work[.]

The pertinent provision of Md. Code Regs. ("COMAR") provides the following:

10.42.03.04 Responsibilities to Colleagues. A. The licensee shall inform the Board: (2) About an individual who is not licensed by the Board but who represents that the individual is a social worker and is practicing, attempting to practice, or offering to practice social work.

On September 21, 2015, a Case Resolution Conference was convened in this matter. The Respondent agreed to enter into this Consent Order consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

The Board finds the following:

1. The Respondent was initially licensed to practice as a licensed certified social worker-clinical ("LCSW-C") on March 12, 2009. His license is currently active with an expiration date of October 31, 2015.

2. At all times relevant, the Respondent was employed as Director of Social Work at Facility A, a skilled nursing center in Ellicott City, Maryland.¹ The Respondent was initially hired at Facility A on January 2, 2001, and was promoted to Director of Social Work on August 23, 2011. The Respondent resigned from Facility A effective June 13, 2014.

3. While investigating another complaint, the Board received information that the Respondent was supervising an unlicensed individual in the practice of social work.

¹ In order to maintain confidentiality, patient, witness, and program names will not be used in this document, but will be provided to the Respondent upon request to the administrative prosecutor.

4. Thereafter, the Board initiated an investigation into the Respondent's practice.

5. On March 31, 2014, the Board's investigator interviewed Ms. R, an unlicensed individual and Facility A employee who was the subject of a complaint to the Board. Ms. R was employed at Facility A beginning in September 1999.

6. During the interview, Ms. R stated that she was employed as a social worker at Facility A, and that the Respondent was her supervisor.

7. Ms. R further stated that she used "BSW" after her name and referred to herself as a social worker in clinical notes. She acknowledged that she is not and has never been licensed to practice social work in the State of Maryland.

8. On May 11, 2015, the Board's investigator interviewed the Respondent. The Respondent admitted that he supervised Ms. R in her duties as a social worker at Facility A. The Respondent further admitted that he knew she did not have a license to practice social work and that she held herself out as a social worker.

9. The Respondent stated that he periodically reviewed Ms. R's progress notes, but no one signed off on the notes.

10. The Respondent stated that Ms. R opened cases, did discharge planning, and monitored the cases on two long-term care units.

11. The Respondent stated that he encouraged Ms. R to obtain her Maryland license and offered to pay for her study materials for the examination.

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); (6) and (10).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 9th day of October, 2015, by a majority of a quorum of the Board considering this case:

ORDERED that the Respondent's license to practice social work shall be **REPRIMANDED**; and it is further

ORDERED that within one (1) year from the date of this Consent Order, the Respondent shall pay a fine in the amount of **\$750** to the Maryland Board of Social Work Examiners; and it is further

ORDERED that the Respondent shall immediately be placed on Board-supervised probation for a period of at least **ONE (1) YEAR** from the date of this Consent Order 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. During the probationary period, the Respondent shall enroll in and successfully complete a Board-approved course in ethics. The Respondent shall be solely responsible for providing the Board with

written documentation of his successful completion of the ethics course. The Respondent may not use any continuing education credits earned through taking the required course to fulfill any continued education requirements that are mandated for licensure renewal in this State.

ORDERED that no earlier than **ONE (1) YEAR** from the commencement of the probationary period, the Respondent may submit a written petition to the Board requesting termination of probation. The Board will grant the termination if the Respondent has fully and satisfactorily complied with all of the probationary terms and conditions, including successful completion of the ethics course and payment of the \$750 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, revocation and/or a monetary penalty; and it is further

ORDERED that the Respondent shall practice according to the Maryland Social Work Examiners Act and in accordance with all applicable laws, statutes and regulations; and it is further

ORDERED that the Respondent shall be 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 considered a **PUBLIC DOCUMENT**
pursuant to Md. State Gov't Code Ann. § 10-611 *et seq.* (2014 Repl. Vol.)



Mark Lannon, LCSW-C, Board Chair
State Board of Social Work Examiners

CONSENT

I, John Galzerano, acknowledge that I consulted 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 am waiving 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.

October 8, 2015
Date

x John Galzerano
John Galzerano, LCSW-C, Respondent

Read and approved:

[Signature]
Keith Ronald, Attorney for Mr. Galzerano

NOTARY

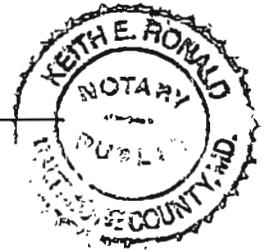
STATE OF MARYLAND

CITY/COUNTY OF BALTIMORE :

I HEREBY CERTIFY that on this 8th day of OCTOBER, 2015, before me, a Notary Public of the foregoing State personally appeared John Galzerano and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed, and the statements made herein are true and correct.

AS WITNESSETH my hand and notarial seal

[Signature]
Notary Public



My Commission Expires: 7/18/2016