

IN THE MATTER OF  
JESSICA N. GIAMBRA  
APPLICANT

\* BEFORE THE MARYLAND  
\* BOARD OF SOCIAL WORK  
\* EXAMINERS  
\* Case Number: 13-1907

\* \* \* \* \*

**FINAL ORDER TO DENY APPLICATION FOR SOCIAL WORKER LICENSE**

On December 13, 2013, the Maryland Board of Social Work Examiners ("the Board") notified **JESSICA N. GIAMBRA (the "Applicant")**, of the Board's intent to deny her application for reinstatement of his license to practice social work, under the Maryland Social Workers Act ("the Act"), codified at Md. Health Occ. Code Ann. ("H.O.") §§ 19-101 *et seq.* (2009 Repl. Vol. and 2013 Supp.). The pertinent provisions of the Act are as follows:

**H.O. § 19-302. Qualifications of applicants.**

- (a) *In general.* – To obtain a license, an applicant shall demonstrate to the satisfaction of the Board that the applicant:
  - (3) Is of good moral character.

**H.O. § 19-311. Denials, reprimands, suspensions, and revocations - Grounds.**

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:

- (7) 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[.]

On December 20, 2013, the Applicant received the Board's Notice of Intent to

Deny her Application for Social Work Licensure (the "Notice."). The Board notified the Applicant in that Notice that this Final Order would be executed thirty (30) days from the Applicant's receipt of the Notice unless the Applicant requested a hearing. The Applicant did not request a hearing.

### **FINDINGS OF FACT**

The Board finds the following:

1. On August 15, 2013, the Board received the Applicant's Application for Social Work Licensure ("the application") dated July 31, 2013. The Applicant applied for licensure by endorsement as a licensed graduate social worker ("LGSW").

2. On the application, the Applicant answered "yes" to the following question: "4. Have you pled guilty to, nolo contendere to, been convicted of, or received probation before judgment for any criminal act (excluding misdemeanor traffic violations)?"

3. In her explanation, the Applicant disclosed that in 2000 she was criminally prosecuted for misappropriating approximately \$3,000 from her place of employment.

4. According to the Applicant, she was working as a county probation office and prevention coordinator and had access to county funds. The Applicant stated that she wrote checks to her roommate and co-workers, who would cash the checks and give the Applicant the cash. The Applicant stated that she used the money to pay bills.

5. According to court documents, on or about May 5, 2011, in the Court of Common Pleas of Lancaster County, Pennsylvania, the Applicant entered a guilty

plea to one count of theft by deception/false impression.

6. On or about December 11, 2000, the Applicant was sentenced to three years of supervised probation and restitution in the amount of \$2779.52.

7. The Applicant's actions, as described above, constitute, in whole or in part, a lack of good moral character. Further, the Applicant's actions, as described above, constitute, in whole or in part, a violation of Health Occ. § 19-311(7).

8. The Applicant's lack of moral character and violation of the relevant statutory provision constitute a ground for denial of her Application under the Act.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Applicant fails to meet the requirements for licensure under Md. Health Occ. Code Ann. § 19-302(a)(3) (2009 Repl. Vol. and 2011 Supp.) which provides that the applicant shall be of good moral character. The Board also concludes that the Applicant is in violation of H.O. § 19-311(7).

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 14<sup>th</sup> day of MARCH 2014, the Board, by a majority of the quorum of the Board, hereby

**ORDERED** that the Applicant's application for licensure to practice social work in the State of Maryland is hereby **DENIED**; and it is further

**ORDERED** that for purposes of public disclosure and as permitted by Md. State Govt. Code Ann. § 10-617(h) (2009 Repl. Vol. and 2011 Supp.), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law, and

Order, and is reportable to any entity to whom the Board is obligated to report; and it is further

**ORDERED** that this Order is a **PUBLIC DOCUMENT** pursuant to Md. State Govt. Code Ann. §§ 10-601 *et seq.* (2009 Repl. Vol. and 2011 Supp.).

3/14/14  
Date \_\_\_\_\_

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

**NOTICE OF RIGHT TO APPEAL**

Pursuant to Md. Health Occ. Code Ann. §19-313 (2009 Repl. Vol. and 2011 Supp.), you have a right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty (30) days of your receipt of this Order and shall be made as provided for judicial review of a final decision in the Md. State Govt. Code Ann. §§ 10-201 *et seq.* (2009 Repl. Vol. and 2010 Supp.), and Title 7, Chapter 200 of the Maryland Rules.