

Jeffrey L. Graham, LCSW-C
[REDACTED]

Date: 07/01/05

Emanuel Mandel, LCSW-C
Chair
Maryland Board of Social Work Examiners
4201 Patterson Avenue
Baltimore, Maryland 21215

Re: Surrender of Social Work License
Case No.: 917
License No.: 11489

Dear Mr. Mandel and Members of the Board:

I have decided to surrender my license to practice social work in the State of Maryland, License Number 11489. I understand that upon surrender of my license, I may not give social work advice or treatment to any individual, with or without supervision and/or compensation, or otherwise engage in the practice of social work as it is defined in the Social Work Practice Act (the "Act"), Md. Health Occ. Code Ann. ("HO") § 19-101 *et seq.* (2000 Repl. Vol.). In other words, as of July 1st, 2005, the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am the same position as an unlicensed individual.

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT** and upon the Board's acceptance becomes a **FINAL ORDER** of the Board.

My decision to surrender my license to practice social work in Maryland has been prompted by an investigation of my license by the Maryland Board of Social Work Examiners (the "Board"), including but not limited to allegations of fraudulent billing by me while I was employed as a social worker at Maryland Health Center of Western Maryland ("MHCWM"). The Board's investigation asserts, in part, that although I had submitted bills for services on two (2) separate occasions, August 19, 2004 and September 21, 2004, for group therapy, I was not present to provide these services.

The Board's investigation likely would have resulted in charges under the Act. Specifically, it is likely that the Board would have charged me with the

commission of prohibited acts in violation of the following provisions of the Act, HO § 19-311:

- (4) Conducts 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 the Board;
- (12) Knowingly makes or files a false report or record in the practice of social work; and
- (14) Submits a false statement to collect a fee[;].

I also acknowledge that it is likely that that Board would charge me with the following provisions of Code of Maryland Regulations ("COMAR"):

- 10.42.03.03B(1) In the capacity of or identity as a licensed social worker, the licensee may not participate or condone dishonesty, fraud, deceit, or misrepresentation[;].

By virtue of this Letter of Surrender, I agree to waive any right to contest the Board's investigation or the Board's findings in connection with its underlying investigation.

I agree that if the Board were to proceed with the prosecution of charges in this matter, that the State would be able to prove by a preponderance of the evidence that I violated the Board's statute and regulations.

I have decided to surrender my license to avoid prosecution of these charges. I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender in order to avoid prosecution under the Board's Act and regulations. I understand that by tendering this Letter of Surrender, I am waiving any right to contest the Board's findings in connection with its underlying investigation in a formal evidentiary hearing at which I would have 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 provided by law, including the right to appeal.

I hereby affirm that I have terminated any social work practice that I had in Maryland and do not maintain a social work practice in Maryland.

I further acknowledge that on or before the effective date of this Letter of Surrender, I shall present to the Board my most recent Maryland social work license, number 11489, including any renewal certificates and wallet-sized renewal cards.

I acknowledge that the Board will advise the National Practitioners' Data Bank of this Letter of Surrender, and in response to any inquiry, that I have surrendered my license in lieu of disciplinary action under the Act as resolution of the matters which would likely arise from the findings of the investigation. I also understand that in the event I would apply for licensure in any form in any other state or jurisdiction, 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.* (2004).

I further recognize and agree that by submitting this Letter of Surrender, my license will remain surrendered until such time as I apply for reinstatement and comply with the terms and conditions determined by a Case Resolution Conference and/or the Board subsequent to any future application for reinstatement. In any event, I agree not to apply for reinstatement for a minimum period of five (5) years from the date that this Letter of Surrender is accepted by the Board.

In the event that I apply for reinstatement of my Maryland license, I understand that the Board may set terms and conditions that shall apply to my receiving a reinstated Maryland social work license. I also understand that if I apply for reinstatement that I bear the burden of demonstrating to the satisfaction of the Board my professional competence and fitness to practice social work. I understand that if I apply for reinstatement of my Maryland social work license, my application will be considered by the Board as one who surrendered his license in order to avoid prosecution of charges under the Act.

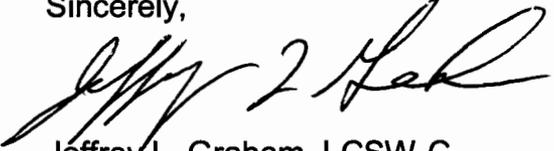
I understand that if I apply for reinstatement of my license, the Board will review my case and determine my fitness to have my license reinstated. I understand and agree that in the event that the Board considers my request for reinstatement, I will comply with any and all Board requests for information. I understand that if the Board reinstates my license, it may impose conditions of probation that may include supervision, professional mentoring and/or peer review.

I have been advised of my right to be represented by the attorney of my choice throughout the proceedings before the board, including the right to consult with an attorney prior to signing this Letter of Surrender.

Jeffrey L. Graham, LCSW-C
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I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. 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, terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey L. Graham". The signature is fluid and cursive, with a large initial "J" and "G".

Jeffrey L. Graham, LCSW-C

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Allegheny

I HEREBY CERTIFY that on this 1st day of July, 2005, before me, a Notary Public of the State and City/County aforesaid, personally appeared Jeffrey L. Graham, LCSW-C and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was his voluntary act and deed.

AS WITNESS my hand and Notarial seal.

Samela Ash
Notary Public

My Commission expires: 5/28/06

ACCEPTANCE

ON BEHALF OF THE MARYLAND BOARD OF SOCIAL WORK EXAMINERS,
on this 8th day of July, 2005, I accept Jeffrey L. Graham's public Letter of Surrender of his license to practice social work in the State of Maryland.

Emanuel Mandel
Emanuel Mandel, LCSW-C
Chair
Maryland Board of Social Work Examiners