

Harald M. Graning, Jr.

Date: July 12, 2010

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

RE: Surrender of License to Practice Social Work
License Number: 10333
Case Number: 10-1523

Dear Mr. Buccino and Members of the Board:

Please be advised that I have decided to SURRENDER my license to practice social work in the State of Maryland, License Number 10333 (D.O.B.10/23/1940) effective on the close of business July 30, 2010.

I understand that I may not give social work advice or treatment to any individual, with or without supervision and/or compensation, cannot counsel, diagnose or provide therapy to people or otherwise engage in the practice of clinical social work, as it is defined in the Maryland Social Workers Act (the Act), Md. Health Occ. Code Ann. ("H.O.") § 19-101 et seq. (2009 Repl. Vol.). In other words, I understand that as of the effective date of this Letter of Surrender, the surrender of my license means that I am in the same position as an unlicensed individual.

In addition, I will refrain from identifying myself as a practitioner of social work; I will remove all signs or similar advertisements that indicate authority to practice social work; and I will not use letterhead or business cards indicating authority to practice social work.

As of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual in the State of Maryland. I understand that this Letter of Surrender is a **PUBLIC** document and on the Board's acceptance becomes a **FINAL ORDER** of the Board.

My decision to surrender my license to practice social work in the State of Maryland has occurred during the course of an investigation of my licensure by the Maryland State Board of Social Work Examiners (the "Board"). I understand that if the matter under investigation proceeded through the disciplinary process it is expected based upon the allegations asserted against me that I would have been charged under the following provisions of the Act, 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;
- (12) Knowingly makes or files a false report or record in the practice of social work[.]

I further understand that the allegations, if true, would support charges of alleged violations of the following regulations:

Code Md. Regs. Tit. 10 § 42.03.04 Sexual Misconduct.

- A. The licensee may not engage in sexual misconduct with a client or supervisee. Sexual misconduct includes but is not limited to:
 - (1) Inappropriate sexual language;
 - (2) Sexual exploitation;
 - (4) Sexual behavior[.]
- B. Concurrent Sexual Relationships. The licensee may not engage in either consensual or forced sexual behavior with:
 - (1) A client[.]
- F. Deceit During Therapy. The licensee may not:

- (1) Engage in sexual activity with a client or an individual in a close personal relationship with the client, on the pretense of therapeutic intent or benefit;
- (3) Suggest, recommend, or encourage the client to engage in a sexually provocative act, including but not limited to:
 - (a) Sexual contact with the licensee,
 - (b) Genital stimulation by or of the client or licensee,
 - (c) Undressing by or of the licensee in the presence of the client, or of the client in the presence of the licensee, and
 - (d) Discussion or disclosure of a sexually provocative or erotic nature, not necessitated by treatment or treatment protocol.

I acknowledge that matters pertaining to my license to practice social work were the subject of an investigation by the Maryland Board of Social Work Examiners (the "Board") and the Office of the Attorney General. I have been informed by the Board that the investigation was based upon a complaint alleging that I engaged in inappropriate sexual conduct with a client. It is alleged that in 2004, I began treating Patient A¹ for outpatient treatment for alcohol dependency and that I provided a letter to Patient A's probation office containing numerous dates on which I represented that I administered a Breathalyzer test on Patient A for alcohol. Patient A has alleged that I did not test her for alcohol use on those dates. It is further alleged that Patient A's treatment record does not reflect testing for alcohol tests on those dates. In addition, Patient A alleges that during the therapeutic relationship I engaged in sexually explicit conversations with her on the telephone, that on two occasions we engaged in sexual activity involving direct physical contact and that I represented that the sexual activity was therapeutic in nature. Patient A also alleges that I discussed details concerning my personal life, including details about my marriage, and that I visited Patient A at her place of employment, during which time I hugged and kissed her. Patient A has further alleged that I requested that she not reveal my conduct to anyone, because I could lose my license.

¹ For confidentiality purposes, the patient's name has not been identified in this Letter of Surrender. The identity of Patient A is known to me and to the Board.

Letter of Surrender.

Harald M. Graning, Jr.

License Number: 10333; Case Number: 10-1523

Page 4 of 6

I acknowledge that on June 28, 2010, following consultation with counsel and with my authorization, my attorney advised the Board and the Office of the Attorney General of my willingness to voluntarily surrender my license. I further acknowledge that notice of my willingness to voluntarily surrender my license was made with the knowledge that the Board was scheduled to meet in early July 2010 to consider the results of the investigation against me and that the Board was expected to vote to issue disciplinary charges against me under the Maryland Social Workers Act. My decision to permanently surrender my license to practice social work in the State of Maryland is a voluntary decision made by me in light of my desire to avoid the time, cost and expense of defending the potential charges against me. The permanent surrender of my license to practice social work in the State of Maryland will avoid a vote by the Board to issue disciplinary charges under the Maryland Social Workers Act and the potential prosecution of disciplinary charges based upon the allegations against me and the results of the Board's investigation.

I acknowledge that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender. In addition, I acknowledge that if disciplinary charges were filed against me and the case proceeded to an evidentiary hearing, the Office of the Attorney General would submit evidence in support of the Board's investigatory findings. I acknowledge that for all purposes relevant to my license to practice social work, the investigative findings will be treated as if proven. I further acknowledge that the allegations constitute violations of the Maryland Social Workers Act.

I understand that by executing this Letter of Surrender I am waiving any right to contest any charges that would issue from the Board's investigative findings and its vote to issue charges in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal.

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

I understand that the Board will advise the Association of State Boards of Social Work, the National Practitioner's Data Bank, and the Health Care Integrity Data Bank, and any other required entities of this Letter of Surrender, and in response to any inquiry, will advise that I have surrendered my license in lieu of disciplinary action under the Act as a resolution of the matters pending against me. I also understand that, in the event that I would apply for licensure in any form in any other state or jurisdiction, that 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

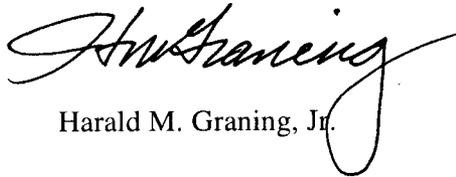
Letter of Surrender
Harald M. Graning, Jr.
License Number: 10333; Case Number: 10-1523
Page 5 of 6

Md. State Gov't Code Ann. § 10-611 et seq. (2009 Repl. Vol.). Finally, I understand that this Letter of Surrender is considered a disciplinary action by the Board.

I further recognize and agree that by submitting this Letter of Surrender my license will remain surrendered **PERMANENTLY**.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have consulted with an attorney before signing this Letter of Surrender. 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 and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,



Harald M. Graning, Jr.

Read and approved:



R. Scott Krause, Esquire
Attorney for Harald M. Graning, Jr.

NOTARY SEAL

STATE OF MARYLAND
~~CITY/COUNTY:~~ *of Baltimore*

I HEREBY CERTIFY that on this 12th day of July, 2010, before me, a Notary Public of the State and City/County aforesaid personally appeared Harald M. Graning, Jr. and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was his voluntary act and deed.

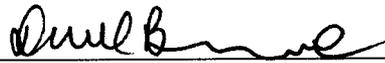


Notary Public

Letter of Surrender
Harald M. Graning, Jr.
License Number: 10333; Case Number: 10-1523
Page 6 of 6

ACCEPTANCE

On behalf of the Maryland Board of Social Work Examiners, on this 30th day of
JULY, 2010, I accept Harald M. Graning's PUBLIC SURRENDER of his
license to practice social work in the State of Maryland.



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