

Sarah Elizabeth Kelly
[REDACTED]
[REDACTED]

Date September 12, 2008

Cherie Cannon, LCSW-C. Chair
State Board of Social Work Examiners
4201 Patterson Avenue
Baltimore, MD 21215

RE: Surrender of Social Work License
License Number: 12677
Case Number: 2007-1216

Dear Ms. Cannon and Members of the Board:

Please be advised that I have decided to surrender my license to practice clinical social work in the State of Maryland, License Number 12677, (D.O.B. 6/4/70).

I understand that by surrendering my license, I may not engage in the practice of social work, in any capacity; that is I may not apply the theories, knowledge, procedures, methods, or ethics derived from a formal educational program in social work to restore or enhance social functioning of individuals, couples, families, groups, organization, or communities through: assessment; formulating diagnostic impressions; planning; intervention; evaluation of intervention plans; case management; information and referral; counseling that does not include diagnosis or treatment of mental disorders; advocacy; consultation; education; research; community organization; or development, implementation, and administration of policies, programs, and activities, or otherwise engage in the practice of social work as it is defined in the Maryland Social Workers Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") § 19-101(m), including supervision of other social workers; and evaluation, diagnosis, and treatment of psychosocial conditions and mental disorders and the provision of psychotherapy

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.

In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I continue 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.

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My decision to surrender my license to practice social work in Maryland has been prompted by an investigation of my licensure by the Maryland Board of Social Work Examiners (the "Board") and the Office of the Attorney General 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 the Board.

The regulations violated are:

Code Md. Regs. tit.10 § 42.03.04C. Relationships with Former Clients.

- (1) Except as set forth in § C(3) of this regulation, the licensee may not engage in sexual behavior with a former client; and
- (2) The licensee may enter into a relationship with an individual with whom the licensee's prior professional contact was of a brief peripheral, consultative, or indirect nature, and did not constitute a therapeutic relationship.

The investigation was based on a complaint to the Board regarding my relationship with a former client. The investigation revealed that in late 2005 through 2006, I provided couples therapy to a couple and then later, from July through October 2006, individual therapy to the husband. Shortly after the termination of professional services with the client, we engaged in a nonprofessional, social relationship and later

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married. During the course of the Board's investigation, I admitted to the relationship, but I failed to disclose the extent of the personal communications with the former client after the termination of the professional services

I have decided to surrender my license to practice clinical social work in the State of Maryland to avoid further investigation of this matter and to avoid charging by the Board. I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender to avoid further investigation and charges under the Act, and in order to resolve this matter, and to avoid further litigation costs. I acknowledge that the Office of the Attorney General would prove by a preponderance of the evidence at an administrative hearing that I violated the Act as detailed herein, but I intended on presenting mitigating factors, such no prior violations or allegations of wrongdoing, and letters from supervisors as to the quality of my aptitude as a social worker.

I understand that by executing this Letter of Surrender I am waiving any right to contest the investigative findings 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 Practitioners Data Bank, the Health Care Integrity Data Bank, and any other required entities, of this Letter of Surrender, and in response to inquiry, that I have surrendered my license in lieu of disciplinary action under the Act as resolution of the matters pending against me. I also understand that in the event 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 Md. State Gov't Code Ann. § 10-611 *et seq.*

I further recognize and agree that by submitting this Letter of Surrender, that my license will remain surrendered for a minimum of (5) years and until such time as I apply new licensure and comply with the terms and conditions set forth in this Letter and those determined by the Board subsequent to my application.

I also understand that if I apply for a new Maryland license that I bear the burden of demonstrating to the Board that I am professionally and mentally competent to practice social work under the Act and that I possess good moral character, as required

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under Md. Health Occ. Code Ann. § 19-302(a)(3). I also understand that I need to provide evidence that I have satisfactorily completed an individual tutorial in professional boundaries with a Board-approved provider. I understand that, at minimum, I must also demonstrate to the Board: my understanding of my prior misconduct; my subsequent conduct and reformation; my present character and my present qualifications and competence to practice social work. I understand that when applying for new licensure, I approach the Board in the same posture as one whose license has been revoked based on the facts contained herein and that my application may be accepted or denied by the Board in its sole discretion.

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 been given the opportunity to consult with counsel before signing this Letter of Surrender and that I have been advised and represented by Gregg E. Viola, Esquire during the course of this matter. 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,


Sarah E. Kelly

Read and approved:



Gregg E. Viola, Esquire
Attorney for Sarah Kelly

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NOTARY

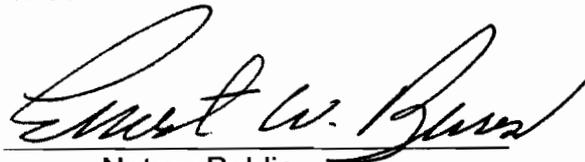
STATE OF MARYLAND

CITY/COUNTY OF

Baltimore

I HEREBY CERTIFY that on this 21 day of August, 2008, before me, a Notary Public of the City/County aforesaid, personally appeared Sarah E. Kelly, and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was her voluntary act and deed.

AS WITNESS my hand and Notarial seal.


Notary Public

My Commission expires: Oct 2008

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ACCEPTANCE

ON BEHALF OF THE BOARD OF SOCIAL WORK EXAMINERS, on this 12th
day of September, 2008, the effective date of this Letter of Surrender, I
accept Sarah E. Kelly's PUBLIC Letter of Surrender of her license to practice social
work in the State of Maryland.



Cherie Cannon, LCSW-C

Chair

Board of Social Work Examiners

cc: Kimberly S. Cammarata, Assistant Attorney General
Gregg E. Viola, Esquire