

IN THE MATTER OF

MICHAEL M. LATIMER

Applicant

License Number: *16205*

* BEFORE THE
* MARYLAND STATE BOARD OF
* SOCIAL WORK EXAMINERS
* Case Number: 07-1157

* * * * *

CONSENT ORDER FOR INITIAL LICENSURE

I. PROCEDURAL HISTORY AND FACTUAL BACKGROUND

On or about March 15, 2007, Michael M. Latimer ("Applicant") submitted an application for licensure to the Maryland State Board of Social Work Examiners (the "Board"). The Applicant requested approval to take the Graduate Social Worker Master's Examination in order to be licensed as a Licensed Graduate Social Worker ("LGSW"). In his application, the Applicant disclosed that he had a history of criminal activity in the years from 1991 until 2004. The crimes involved charges of theft of less than \$500.00 and less than \$300.00, as well as possession of controlled dangerous substances. This would constitute grounds for the Board to proceed with a Notice of Intent to Deny Mr. Latimer's application pursuant to the Maryland Social Workers Act (the "Act"), Md. Health Occ. Code Ann. ("HO") §§ 19-101 *et seq.* (1994), specifically the following provision under HO § 19-311:

- (8) 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[;].

Mr. Latimer submitted a letter in support of his application from a colleague, Karolyn M. Banks, Counselor III, Baltimore City Housing Authority. The Applicant also submitted his resume, which delineated his past experiences as a family service and youth counselor, vocational rehabilitation specialist and internships as a family support worker and mental health clinician. He also attached with his application his own testimonial statement in which he expressed his remorse for past behavior.

On April 13, 2007, the Board reviewed Mr. Latimer's application. Apart from the aforementioned prior criminal history, Mr. Latimer otherwise is qualified for approval to take the LGSW examination. With a recommendation from the Board Credentialing Committee, the Board voted to approve Mr. Latimer's application and, should he pass the examination, to license him as a LGSW subject to the terms and conditions of this Consent Order for Initial Licensure. At its meeting on July 17, 2007, the Board approved this Consent Order for Initial Licensure.

II. FINDINGS OF FACT

1. Michael M. Latimer submitted an application to the Board for approval to take the LGSW examination.
2. Mr. Latimer has a past criminal history of theft and possession of controlled dangerous substances in the years from 1991 until 2004.
3. Mr. Latimer otherwise is qualified for licensure.

III. CONCLUSIONS OF LAW

When an individual applies for licensure by examination, the individual must submit an application requesting the Board's approval to take the appropriate level examination. In order for the Board to approve the application, the applicant must meet

the requirements of HO §§ 19-302 and 19-303 and Code of Maryland Regulations ("COMAR") 10.42.01.05.

In this case, Mr. Latimer is qualified for licensure by examination, but for a past criminal history, which could be a basis for the Board denying his application under HO § 19-311(8) and would entitle him to a hearing.

In reviewing Mr. Latimer's application in full, the Board took into consideration the following factors:

1. The nature and circumstances of Mr. Latimer's original misconduct;
2. Mr. Latimer's subsequent conduct and reformation;
3. Mr. Latimer's present character; and
4. Mr. Latimer's present qualifications and competence to practice social work.

Upon consideration of the above factors, the Board has found that the approval of Mr. Latimer's application to take the LGSW examination, and, if he passes the examination, the granting of a LGSW license with conditions is appropriate.

IV. CONCLUSION

For the reasons stated above, the Board has concluded to approve Mr. Latimer to take the Graduate Social Worker Master's Examination. If Mr. Latimer passes the examination, the Board will issue him a graduate social worker license subject to the specific conditions as set out in this Consent Order for Initial Licensure.

V. ORDER

Based upon the foregoing, it is this 14 day of September, 2007, by a majority of the full authorized membership of the Board, hereby

ORDERED that the Applicant is **APPROVED** to take the national Graduate Social Worker Master's Examination; and it is further

ORDERED that, upon Applicant's passing of that examination, Applicant's license shall be placed immediately on **PROBATION** for a period of **ONE (1) YEAR OF ACTIVE SOCIAL WORK PRACTICE**, subject to the following terms and conditions:

1. Applicant shall be supervised by a Board **registered and pre-approved** licensed social worker supervisor, who will monitor all aspects of Respondent's social work practice.
2. The supervisor shall be provided with this Consent Order for Initial Licensure, the entire file in this case, including Applicant's application for licensure and all attached documentation.
3. Applicant shall meet with the supervisor on a monthly basis for the probationary period.
4. Applicant shall ensure that the supervisor submits reports to the Board on a quarterly basis that address Applicant's participation in evaluative supervision.
5. The first of the quarterly reports shall be due to the Board within **ninety (90) days** from the date that Applicant begins to practice social work in Maryland.
6. Prior to the termination of probation, the supervisor shall provide to the Board a final report that shall address Applicant's fitness to practice social work

independently and whether or not the supervisor recommends that probation and supervision be terminated.

IT IS FURTHER ORDERED that, prior to probation being terminated, Applicant shall enroll in and complete a **Board-pre-approved, Individual, one-on-one, graduate-level ethics tutorial, which is ten to twelve weeks in duration**, with the following conditions:

1. Applicant shall notify the Board in writing that he has enrolled in a Board-pre-approved, individual, graduate-level tutorial in professional ethics, which also focuses on honesty and integrity by healthcare providers.

2. Applicant shall ensure that the tutor be provided a copy of this Consent Order for Initial Licensure, the entire file in this case, including Applicant's application for licensure and all attached documentation.

3. Applicant shall ensure that the tutor submit to the Board an assessment at the completion of the tutorial, which includes a report of attendance, participation and completion of assignments, including a **final essay written by Applicant**, and a recommendation as to whether or not probation should be terminated.

4. Applicant shall successfully complete the individual tutorial within the 1-year probationary period.

IT IS FURTHER ORDERED that if Respondent fails to comply with the terms and conditions of this Consent Order for Initial Licensure, it shall be deemed a violation of probation and a violation of a Board order under HO § 19-311(4) and (20), and Applicant may be subject to disciplinary charges by the Board; and it is further

ORDERED that there will be no early termination of probation; and it is further

ORDERED that there shall be no automatic termination of probation after one (1) year, and **Applicant must petition the Board in writing for termination of probation** and full reinstatement of his license without restrictions or conditions. If Applicant has satisfactorily complied with all conditions of probation, there are no outstanding complaints or other disciplinary actions pending against Applicant, and the Board-approved supervisor's reports have been, in the opinion of the Board, favorable for Applicant, the Board shall terminate probation. If Applicant fails to make any such petition, then the probationary status shall continue indefinitely, subject to the terms and conditions set forth in this Consent Order for Initial Licensure; and it is further

ORDERED that Applicant shall abide by the laws and regulations regarding the practice of social work. Failure to do so shall constitute a violation of probation and of this Consent Order for Initial Licensure and may subject Applicant to further disciplinary action by the Board. The Board, after notification to the Applicant, and an opportunity for a hearing, may take immediate action and may impose any lawful disciplinary sanctions it deems appropriate, including but not limited to suspension or revocation of Applicant's social work license. The burden of proof for any action brought against Applicant as a result of a breach of the conditions of this Consent Order for Initial Licensure shall be on Applicant to demonstrate compliance with this Consent Order for Initial Licensure; and it is further

ORDERED that Applicant's failure to fully comply with the terms and conditions of this Consent Order for Initial Licensure shall be deemed a violation of probation and of this Consent Order for Initial Licensure, and that upon such violation the Board may

impose any discipline that it might have imposed for Applicant's actions in this case; and it is further

ORDERED that the burden of proof shall be on Applicant to demonstrate compliance with this Consent Order for Initial Licensure and the terms and conditions of probation, except for any new charges issued by the Board that are unrelated to this case, and it is further

ORDERED that any violation of this Consent Order for Initial Licensure by Applicant shall constitute unprofessional conduct under HO § 19-311(6); and it is further

ORDERED that Applicant is responsible for all costs associated with carrying out the provisions of this Consent Order for Initial Licensure and the terms and conditions of probation; and it is further

ORDERED, that this Consent Order for Initial Licensure is a final order of the Maryland Board of Social Work Examiners and, as such, is a PUBLIC DOCUMENT and is reportable to any entity to which the Board is obligated by law to report, and is disclosable under the Maryland Public Information Act, Md. State Gov't Code Ann. §§ 10-611 *et seq.*; and it is further

ORDERED that this Consent Order for Initial Licensure **shall be effective as of the date that it is signed by the Board.**

9-14-07
Date


Yvonne M. Perret, LCSW-C
Chair
Maryland State Board of Social Work
Examiners

CONSENT

I, MICHAEL M. LATIMER, acknowledge that I have been informed that I may be represented by counsel prior to signing this Consent Order for Initial Licensure and have knowingly and voluntarily elected not to be represented by counsel.

I am aware that I am entitled to a formal evidentiary hearing before the Board or an Administrative Law Judge at the Office of Administrative Hearings. I acknowledge the validity and enforceability of this Consent Order for Initial Licensure as if entered into after the conclusion of a formal evidentiary hearing in 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 procedural and substantive protections to which I am entitled by law. I am waiving those procedural and substantive protections. I understand and agree that this Consent Order for Initial Licensure is a final order of the Board and is, therefore, a public document.

I voluntarily admit to the truth of the findings herein, and I agree to abide by the terms and conditions set forth herein as a resolution of this matter. I acknowledge and understand that the Board has entered into this Consent Order for Initial Licensure in lieu of proceeding with a Notice of Intent to Deny my application for licensure. I waive any right to contest the Findings of Fact and Conclusions of Law, and I waive my right to a full evidentiary hearing as set forth above and any right to appeal this Consent Order for Initial Licensure or any adverse ruling that might have followed such hearing.

I acknowledge that by failing to abide by the conditions set forth in this Consent Order for Initial Licensure, I may be subject to disciplinary actions, which may include revocation of my license to practice social work.

I sign this Consent Order for Initial Licensure voluntarily, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order for Initial Licensure, consisting of nine (9) pages.

JUL 24, 2007
Date


Michael M. Latimer
Applicant

NOTARY

STATE OF MARYLAND
CITY/COUNTY of Baltimore

I HEREBY CERTIFY that on this 24 day of July, 2007, before me, a Notary Public of the State and County aforesaid, personally appeared Michael M. Latimer, and made oath in due form of law that the foregoing was his voluntary act and deed.

AS WITNESS my hand and Notarial Seal.


Notary Public

My Commission Expires: 6/2011