

IN THE MATTER OF	*	BEFORE THE
THEODORA R. PROCTOR, LCSW-C	*	MARYLAND BOARD
Respondent	*	OF SOCIAL WORK EXAMINERS
LICENSE NUMBER: 10678	*	CASE NUMBER: 12-1809

* * * * *

CONSENT ORDER

On September 24, 2014, the Maryland Board of Social Work Examiners ("the Board") issued a "Amended Notice of Charges under the Maryland Social Work Act" to **THEODORA R. PROCTOR, LCSW-C (the "Respondent")** license number **10678**, based on alleged violations of the Maryland Social Work Examiners Act ("the Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 19-101 *et seq.* (2009 Repl. Vol. and 2013 Supp.).

Based upon the allegations made in the Complaint and the Board' investigation, the Board charged the Respondent under the following provisions of 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;
 - (7) Is convicted of or pleads guilty or nolo contendere to a felony or to crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;
 - (9) Is disciplined by a licensing or disciplinary authority of any state, country, or branch of the armed forces, or the Veterans' Administration for an act that would be grounds for disciplinary action under this section[.]

BACKGROUND

On December 16, 2014, the Respondent appeared before members of the Board and the Board's counsel for a Case Resolution Conference (CRC) to discuss the potential resolution of the Charges by consent. At the conclusion of the CRC, the Respondent agreed to enter into this Consent Order to resolve the pending charges and to avoid the expense and time of proceeding to an administrative hearing. The Respondent and the Board agreed to the inclusion of Findings of Fact and Conclusions of Law as required by the Board, and with the terms and conditions set forth herein.

FINDINGS OF FACT

The Board finds the following:

1. At all times relevant hereto, the Respondent was and is licensed to practice clinical social work in the State of Maryland. The Respondent was initially licensed to practice social work in the State of Maryland on March 20, 2000, having been issued license number 10678. Her license is currently non-renewed, having expired on October 31, 2015.
2. The Board received information that the Respondent was had been recently convicted of a crime.
3. Thereafter, the Board opened the case for investigation.
4. The Board's investigation revealed that on or about January 6, 2011, the Respondent was arrested and charged with simple assault.
5. On September 26, 2012, in the Superior Court of the District of Columbia, the Respondent was found guilty simple assault. The Respondent was sentenced to

180 days incarceration, with all but 30 days suspended. The Respondent served 30 days in jail.

6. Additional investigation conducted by the Board revealed that the District of Columbia Board of Social Work ("D.C. Board") summarily suspended the Respondent's license to practice social work in D.C. by a Notice of Summary Suspension dated October 1, 2012.

7. On September 27, 2013, the D.C. Board issued a Decision and Final Order of the Board ("D.C. Final Order") suspending the Respondent's license to practice social work in D.C. The D.C. Final Order ordered the Respondent to undergo a complete psychological evaluation for the purpose of determining:

(a) Whether Respondent is currently fit to safely engage in clinical social work practice in unsupervised, one-on-one situations with clients;

(b) Whether Respondent currently suffers from a mental health or psychological condition which currently renders her professionally or mentally incompetent, or incapable of performing, or impairs her ability to safely engage in the practice of clinical social work in unsupervised, one-on-one situations with clients;

(c) Whether Respondent currently suffers from a mental health or psychological condition which currently renders her professionally or mentally incompetent, or incapable of performing, or impairs her ability to safely engage in the practice of clinical social work in unsupervised, one-on-one situations with clients, or which but for the treatment of her condition would render her incompetent, incapable or impair her ability to do so; and

(d) Whether the Respondent poses a risk of harm to her clients, colleagues or others.

8. According to the D.C. Final Order, the Respondent's D.C. license was suspended based upon her September 2012 conviction, as well as two other criminal matters (case numbers 2011 CMD 00311¹ and 2008 CMD 019778). The 2011 criminal matter charged the Respondent with the assault of a police officer, during which she shouted homophobic slurs and profanity.

9. The D.C. Board also based its decision on the Respondent's termination from Catholic Charities of the Archdiocese of Washington, Inc. ("CCAW") where she was employed as a part-time Manager in a housing program.

10. According to the D.C. Final Order, while employed at CCAW, the Respondent made hostile comments to co-workers, used profanity when speaking to co-workers, failed to meet with clients when directed to do so, and made lewd comments to male staff members.

11. In January 2012, the Respondent was terminated from CCAW for poor attendance, frequent tardiness, failure to follow work policies and procedures and other work-related incidents.

12. The D.C. Final Order also detailed incidents that took place after she was terminated from CCAW involving the Respondent making verbal threats to co-workers, screaming profanity, behaving erratically and making harassing telephone calls to co-workers. As a result of the Respondent's behavior at CCAW, the D.C. Superior Court

¹ This case has since been expunged.

granted a Temporary Restraining Order. An Order for Permanent Injunction was entered on April 17, 2012.

13. The Respondent's D.C. license remains suspended.²

14. The Respondent is currently employed as a social worker.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concluded that, if proven true, the factual allegations would support a finding as a matter of law that the Respondent violated H.O. §§19-311(4) and (9). The Board dismisses the charge under H.O. §19-311(7).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the agreed upon terms of the resolution of the Charges by consent at the CRC, on this 13th day of February, 2015, by a majority of the full authorized membership of the Board considering this case, it is hereby

ORDERED that the Respondent's license to practice social work in the State of Maryland is **SUSPENDED**; and it is further

ORDERED that the Respondent may petition the Board to lift the suspension of her license when the following conditions have been satisfied:

1. The Respondent has fully complied with the D.C. Board's stipulations as set forth in the D.C. Final Order dated September 27, 2013; and

2. The D.C. Board has lifted the suspension of the Respondent's D.C. license to practice social work; and it is further

² The Respondent's D.C. license expired on July 31, 2013.

ORDERED that upon reinstatement of the Respondent's license, she shall be placed on Board-supervised probation for a period of at least **THREE (3) YEARS** and until the following terms and conditions are fully and satisfactorily complied with:

1. The Respondent's status as a licensed clinical social worker will be listed in the Board's computer records and website as being on "Probation";
2. The Respondent shall fully and satisfactorily comply with the probationary terms and conditions set forth in the D.C. Final Order; and it is further
3. The Respondent shall submit to a complete psychological evaluation performed by a Board-approved licensed mental health provider to determine whether the Respondent is fit to practice social work. The Respondent shall be responsible for ensuring that a copy of the psychological evaluation is provided to the Board; and it is further

ORDERED that after three (3) years from the date of this Consent Order, the Respondent may submit a written petition to the Board requesting termination of probation. After consideration of the petition, the probation may be terminated, through an order of the Board, or a designated Board committee. The Board, or designated Board committee, in its discretion may grant termination of the probation if the Respondent has fully and satisfactorily complied with all of the probationary terms and conditions and there are no pending complaints related to the charges; and it is further

ORDERED that if the Respondent violates any of the terms and conditions of Probation and this Consent Order, the Board, in its discretion, after notice and an opportunity for a show cause hearing before the Board, may impose any sanction which the Board may have imposed in this case, including a probationary term and

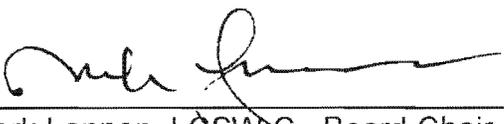
conditions of probation, reprimand, suspension, lifting the stay of suspension, revocation and/or a monetary penalty; and it is further

ORDERED that the Respondent is solely responsible for all costs incurred in fulfilling the terms and conditions of the Consent Order; and it is further

ORDERED that this Consent Order is a **PUBLIC DOCUMENT**, pursuant to Md. State Gov't Code Ann. §§ 10-611 et seq. (2014 Repl. Vol.), and is reportable to any entity to which the Board is obligated to report.

2.13.15

Date



Mark Lannon, LCSW-C, Board Chair
State Board of Social Work Examiners

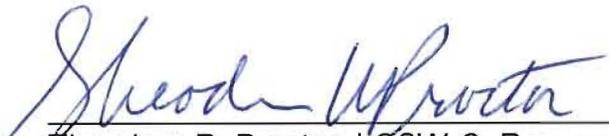
CONSENT

I, Theodora Proctor, LCSW-C, acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had 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 as provided by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I waive my right to appeal any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having had an opportunity to consult with counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Order, and understand its meaning and effect.

01/30/2015
Date



Theodora R. Proctor, LCSW-C, Respondent

Reviewed and approved by:


Michael Zenbendilos Okpala, Esq.
Attorney for the Respondent

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Prince Georges :

I HEREBY CERTIFY that on this 30th day of January, 2015, before me, a Notary Public of the foregoing State personally appeared Theodora R. Proctor, LCSW-C and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed, and the statements made herein are true and correct.

AS WITNESSETH my hand and notarial seal.

Cheryl Y. Martin
Notary Public

My Commission Expires: 10/22/2016

