

IN THE MATTER OF	*	BEFORE THE STATE
CLAUDINE Z. STEBLER, LCSW-C	*	BOARD OF SOCIAL WORK
Respondent	*	EXAMINERS
License Number: 12874	*	Case No. 13-1855

* * * * *

CONSENT ORDER

On August 14, 2015, the Maryland Board of Social Work Examiners ("the Board") charged **CLAUDINE Z. STEBLER (the "Respondent")**, License Number **12874** with violating the Maryland Social Work Examiners Act ("the Act") codified at Md. Health Occ. Code Ann. ("H.O.") §§ 19-101 *et seq.* (2014 Repl. Vol.) and Code Md. Regs. ("COMAR"), tit. 10, § 42.03.01 *et seq.*

The pertinent provisions of the Act are as follows:

Subject to the hearing provisions of §19-213 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) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work;
- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board; [and]
- (8) Provides professional services while:
 - (i) Under the influence of alcohol[.]

The pertinent provisions of COMAR are as follows:

10.42.03.06 Standards of Practice. A. Professional Competence. The licensee shall: (9) Seek competent professional assistance to determine whether to suspend, terminate, or limit the scope of professional or scientific activities when the licensee becomes aware that the licensee's competence is impaired [; and]

10.42.03.06 Standards of Practice. B. A licensee may not: (1) Undertake or continue a professional relationship with a client when the competence or objectivity of the licensee is or could reasonably be expected to be impaired due to: (a) Mental, emotional, physiological, pharmacological, substance abuse, or personal problems[.]

On September 3, 2015, a Case Resolution Conference was convened in this matter. The Respondent agreed to enter into this Consent Order consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

The Board finds the following:

1. The Respondent was initially licensed to practice as a licensed certified social worker-clinical ("LCSW-C") on September 16, 2005.¹ Her license is currently active and is scheduled to expire on October 31, 2016.

2. At all times relevant, the Respondent was employed as a social worker with the Montgomery County Department of Health and Human Services ("MCDHHS"), providing mental health services to children, adolescents and their families.

3. On or about April 9, 2013, the Board received a complaint regarding the Respondent from the Program Director (the "Complainant") for the Outpatient Mental Health Clinic of MCDHHS.² Specifically, the Complainant alleged that the Respondent displayed unprofessional behavior by working while

¹ The Respondent was previously licensed as a licensed graduate social worker (LGSW).

² In order to maintain confidentiality, names will be used in these Charges. The Respondent may obtain a list of the names referenced in the Charges by contacting the Administrative Prosecutor.

impaired and consuming alcoholic beverages while at work. The Complainant also stated that the Respondent was drug tested as a result of her conduct in the workplace and tested positive for alcohol.

4. Thereafter, the Board initiated an investigation.

5. On December 12, 2012, the Respondent sought guidance from her supervisor, the Complainant, regarding an adolescent client ("Client A") who had self-inflicted wounds. The Complainant observed that the Respondent's breath had an odor of alcohol.

6. On December 13, 2012, the Respondent was participating in an on-the-job training clinic. During the training, a co-worker ("Witness A") observed the Respondent drinking a suspected alcoholic beverage from three separate containers during the training clinic.

7. The Respondent was excused from the training to assist her coworkers with arranging for emergency hospitalization of Client A. The Respondent was asked to complete a progress note to attach to the Emergency Petition. According to the Complainant, the Respondent had difficulty completing the progress note. The Respondent was observed laughing inappropriately and her breath smelled of alcohol.

8. The Respondent was then asked to submit to drug testing. The Respondent was administered a breathalyzer test. The first result was .23 and the second result, approximately 18 minutes later, was .13. A test result of .02 or higher is deemed positive.

9. As a result of the Respondent's conduct and the positive breathalyzer test, the Respondent was terminated from her employment at MCDHHS effective March 7, 2013.

10. In furtherance of the Board's investigation, the Board's investigator obtained a copy of the Respondent's MCDHHS personnel file. A review of the Respondent's personnel file revealed documentation from co-workers of their observations of the Respondent's conduct.

11. The Respondent's personnel file also included documentation from Witness A which detailed a conversation between Witness A and the Respondent on or about December 3, 2012. According to Witness A, during that conversation, the Respondent's speech was slurred, she told the same story twice, and her breath had a strong odor of alcohol.

12. The Respondent's personnel file also contained an email dated December 18, 2012 from another co-worker ("Witness C") stating that during September 2012, Witness C smelled alcohol when in the Respondent's presence. Witness C also stated that she observed that the Respondent's face was red, her hands were trembling and she displayed erratic behavior.

13. On or about May 8, 2015, the Board's investigator conducted an interview of the Respondent's co-worker, Witness B. Witness B stated that she accompanied the Respondent to outpatient medical services for drug testing. Witness B recalled that the Respondent "seemed intoxicated, meaning that she was not making eye contact, she was— she just didn't seem to be speaking easily and coherently."

14. On May 7, 2015, the Board's investigator conducted an interview with the Respondent. During her interview, the Respondent admitted to drinking alcohol, specifically vodka, during an on-the-job training.

15. The Respondent stated that her drinking escalated in late 2012. She stated that she brought alcohol to work "because I was trying to keep myself functioning," and to avoid the physical symptoms of withdrawal.

16. The Respondent admitted that on December 12, 2012, she was under the influence of alcohol and therefore unable to fully perform her job duties.

17. Following her termination from MCDHHS, the Respondent took a year off from practicing social work to focus on substance abuse treatment.

18. The Respondent provided documentation to the Board indicating that she completed a six-month outpatient substance abuse program. The Respondent has maintained her sobriety since January 2013.

19. The Respondent attends Alcoholics Anonymous at least three times weekly.

20. The Respondent works as an independent contractor providing social work services to clients of all ages.

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 (5) and (6) and (8)(i).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 11th day of September, 2015, by a majority of a quorum of the Board considering this case:

ORDERED that the Respondent's license to practice social work shall be **SUSPENDED** for a period of 30 days, with all 30 days **STAYED**; and it is further

ORDERED that the Respondent shall immediately 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 submit to random urinalysis at the Board's direction. Failure to submit to urinalysis or a positive urinalysis may constitute a violation of the Consent Order. The Respondent shall be responsible for the costs associated with completing random urinalysis;
3. The Respondent shall continue participation in Alcoholics Anonymous ("AA") or a similar 12-step recovery program. The Respondent shall attend at least three (3) AA meetings per week and, on a quarterly basis, provide the Board with written documentation of her attendance. Failure to provide documentation of AA attendance may constitute a violation of the Consent Order;

4. The Respondent shall continue treatment with a mental health provider and shall comply with any treatment recommendations of the mental health provider, including but not limited to recommendations for substance abuse treatment and psychiatric or psychological treatment;

5. The Respondent shall notify the Board, in writing, no later than five (5) days prior to commencing new employment;

6. For two (2) years, the Respondent's social work practice shall be supervised by a Board-approved supervisor. The Respondent shall meet with her Board-approved supervisor monthly. The Board-approved supervisor shall provide the Board with quarterly reports on the Respondent's progress and any concerns. At the conclusion of two (2) years, the Board-approved supervisor shall make a written recommendation to the Board regarding whether the Respondent would benefit from continued practice supervision during the final year of the probationary period. An unsatisfactory report from the Board-approved supervisor may constitute a violation of the Consent Order. The Respondent shall be responsible for the cost of the Board-approved supervisor;

ORDERED that the Respondent's execution of this Consent Order shall constitute a release of any and all medical health reports, substance abuse treatment records, and psychological/psychiatric records pertaining to the Respondent both to the Board, the substance abuse treatment program, and the Respondent's mental health provider; and be it further

ORDERED that no earlier than **THREE (3) YEARS** from the commencement of the probationary period, the Respondent may submit a written petition to the Board requesting termination of probation. The Board may grant the termination 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, revocation and/or a monetary penalty; and it is further

ORDERED that the Respondent shall practice according to the Maryland Social Work Examiners Act and in accordance with all applicable laws, statutes and regulations; and it is further

ORDERED that the Respondent shall be 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 considered a **PUBLIC DOCUMENT** pursuant to Md. State Gov't Code Ann. § 10-611 et seq. (2014 Repl. Vol.)



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