

IN THE MATTER OF
THOMAS F. COLBERT
Certificate #: SC1269

*** BEFORE THE MARYLAND STATE**
*** BOARD OF PROFESSIONAL**
*** COUNSELORS & THERAPISTS**

* * * * *

CONSENT ORDER

Background

On June 23, 2011, the Maryland State Board of Professional Counselors & Therapists (the "Board") received information concerning the practice of Certified Supervised Counselor-Alcohol and Drug (CSC-AD), Thomas F. Colbert, the Respondent, who was practicing supervised counseling-alcohol and drug under an expired certificate for a certain period of time. The Board subsequently opened an investigation in this matter.

On November 1, 2013, the Respondent and his attorney, Ian Friedman, attended a settlement conference with Board representatives in an effort to reach resolution of the case prior to the issuance of charges. As a result, the Respondent and the Board have agreed to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

The Board finds that:

1. On December 16, 2011, the Board initiated an investigation into Thomas Colbert's practice of supervised counseling-alcohol and drug based on information received from the Respondent relating to his practicing supervised counseling-alcohol and drug on an expired certificate.
2. In the course of its investigation, the Board established that the Respondent practiced supervised counseling-alcohol and drug on an expired certificate on two separate

occasions from January 2007 through July 2007 and from February 2011 until April 2011.

3. Notices were sent by the Board to the Respondent prior to the renewal period for his certification and during the period of time when his certificate had lapsed informing him that his certification had expired.
4. In an interview with Board representatives, the Respondent disclosed that he provided Supervised Counseling-Alcohol and Drug on an expired certificate on the above - mentioned dates.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent, Thomas Colbert, in violation of Md. Code Ann., Health Occ. § 17-301, § 17-401(b)(3)(i), (ii) and (iii), § 17-509, (6), (7), (8), (12) and (13), and (16), § 17-603(3) and COMAR 10.58.01.03(A)(B) and (C), (2), 10.58.03.03(A)(1) and 10.58.03.04(B)(2). These violations are based upon the fact that the Respondent practiced supervised counseling – alcohol and drug for six months on an expired certificate.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is this 14/14 day of April, 2014 hereby:

ORDERED that within twelve (12) months of this Consent Order:

- a. The Respondent's practice shall be supervised, at his own expense, by a licensed counselor/therapist Board-approved alcohol and drug counselor with experience and expertise in the field of alcohol and drug counseling;

- b. As part of the approval process, the Respondent shall submit to the Board the name and professional credentials of a counselor to supervise his practice;
- c. The Respondent shall provide the Board-approved supervising counselor with a copy of this Consent Order, and whatever other written materials the Board deems relevant;
- d. The approved supervisor shall report quarterly to the Board's Rehabilitation Committee on the Respondent's progress toward completing his continuing education unit (CEU) requirements, including the ethics course required by this Consent Order, and ensuring he files his renewal during his designated renewal period, and Respondent's overall work-performance with regard to his responsibilities as a Certified Supervised Counselor-Alcohol and Drug; and it is further

ORDERED that the Respondent shall enroll in and successfully complete a three (3) credit course in ethics related to professional, legal and ethical responsibility or specific to alcohol and drug counseling that is an in-class only course to be completed within twelve months of this Consent Order.

- a. This course may count toward Respondent's required CEUs. After the successful completion of the in-class ethics course, the instructor shall provide the Board with a written report detailing the Respondent's participation in and completion of the course;
- b. The Respondent is responsible for ensuring that he completes the required Continuing Education Units, and the ethics course, in a timely manner;
- c. The Respondent is responsible for submitting to the Board proof of his successful completion of all Continuing Education Units, and the in-class ethics course;

d. If the Respondent files renewal applications for the next two renewal periods, the Board shall audit his renewal applications; and it is further

ORDERED that the Respondent shall file his renewal for certification within the designated renewal period of November 2014 to January 2015;

ORDERED that failure to comply with the terms of this Consent Order may be deemed a violation and the Board may impose additional terms or sanctions as it deems appropriate; and it is further

ORDERED that this Order is considered a **PUBLIC DOCUMENT** pursuant to Md. State Gov't Code Ann. § 10-611 *et seq.* (2009 Repl. Vol.).

4/14/2014
Date

Carol A. Deel LCPC, LCMFT
Carol Deel LCPC, LCMFT, Chair
Maryland State Board of Professional Counselors
& Therapists

Thomas F. O'Keefe

CONSENT

I, ^ acknowledge that I have had the opportunity to consult with counsel before signing this document.

I am aware that I am entitled to a formal evidentiary hearing before the Board or before an Administrative Law Judge at the Office of Administrative Hearings. I acknowledge the validity and enforceability of this Consent Order 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 results from formal disciplinary action and is, therefore, a public document.


I voluntarily enter into and agree to abide by the foregoing Findings of Fact, Conclusions of Law and Order, and I agree to abide by the terms and conditions as set forth herein as a resolution of this case based on the foregoing Findings of Fact and Conclusions of 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 acknowledge and understand that the Board has entered into this Consent Order in lieu of proceeding with a formal evidentiary hearing. 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 or any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order voluntarily, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order, consisting of 4 pages.

2/19/14
Date

Thomas F. Colbert
Thomas Colbert, CSC-AD
Respondent

Read and approved:



Ian Friedman, Esq
Attorney for Respondent

NOTARY

STATE OF MARYLAND

CITY/COUNTY of Carroll

I HEREBY CERTIFY that on this 19th day of February, ²⁰¹⁴ 2013-, before me, a Notary Public of the State and County aforesaid, personally appeared Thomas F. Colbert and made oath in due form of law that the foregoing was her voluntary act and deed.

AS WITNESS my hand and Notarial Seal.



Notary Public

MY COMMISSION EXPIRES: 6/15/17

