

Richard O'Meara, LCPC, CAC-AD
650 Ritchie Highway, Suite 207
Severna Park, Maryland 21146

Date : JULY 6, 2012

Richard Hann, LCPC, Chair
Board of Professional Counselors and Therapists
4201 Patterson Avenue
Baltimore, Maryland 21215

Re: Surrender of License as a Licensed Clinical Professional Counselor (LCPC)
License Number: LC1884; and
Surrender of Certificate as a Certified Associate Counselor – Alcohol and Drug
(CAC-AD)
Certificate Number: AC0653
Case Number: 2011-25

Dear Mr. Hann and Members of the Board:

Please be advised that I have decided to **PERMANENTLY SURRENDER** my license to practice as a licensed clinical professional counselor (“LCPC”), License Number LC1884 in the State of Maryland. I understand that upon surrender of my LCPC license, I shall not practice licensed clinical professional counseling as it is defined in the Maryland Professional Counselors and Therapists Act (the “Act”), Md. Health Occ. Code Ann. (“H.O.”) § 17-101(s) (2009 Repl. Vol.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual.

I have also decided to **PERMANENTLY SURRENDER** my certificate as a certified associate counselor - alcohol and drug (CAC-AD), Certificate Number AC0653 in this state. I understand that upon surrender of my CAC-AD certificate, I shall not practice alcohol and drug counseling as defined in § 17-101(p) of the Act. In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my CAC-AD certificate means that I am in the same position as an uncertified individual.

I understand that the effective date of this Letter of Surrender is the date of the Board’s acceptance and that upon the Board’s acceptance this Letter of Surrender becomes a **FINAL ORDER** of the Board.

My decision to surrender my license to practice licensed clinical professional counseling and certified alcohol and drug counseling in Maryland has been prompted by the Board’s investigation of allegations that I engaged in a sexual and dual relationship

with a female client during the course of an established client-counselor relationship, and that I was convicted of and imprisoned for committing a felony in 1989.

The Board's investigation concluded that I engaged in a prohibited sexual and dual relationship with a female client during the course of an established client-counselor relationship, fostered a mutual dependency between client and counselor, and exploited the professional relationship for my personal advantage. Specifically, the Board's investigation concluded:

- a. That I met with the client and her husband during one session and was aware of their marital conflicts;
- b. That I was aware of the client's troubled psychiatric history, which included a suicide attempt;
- c. Despite this awareness, I entered into a social and sexual relationship with the client;
- d. I engaged in sexual contact and sexual intercourse with the client;
- e. I met the client in parking lots, restaurants and at her home;
- f. I engaged in phone, voicemail and Facebook interactions with the client, and met her children and her friends;
- g. I paid off the client's counseling bills.

The Board's investigation also concluded that I failed to disclose on my August, 2001 application for certification as an associate counselor-alcohol and drug (CAC-AD), a guilty plea and conviction for aggravated assault that occurred in Pennsylvania in 1989, that I further failed to disclose this felony conviction on my application for licensure as a clinical professional counselor (LCPC) in April, 2004.

I understand and admit that if this matter were to proceed to an evidentiary hearing, the State has sufficient evidence to prove by a preponderance of the evidence that my conduct is in violation of the following provisions of the Act, H.O. § 17-509(1) (Fraudulently or deceptively obtains or attempts to obtain a license or certificate for the applicant; H.O. § 17-509(6) (Willfully makes or files a false report in the practice of counseling or therapy); H.O. § 17-509(8) (Violates the code of ethics adopted by the Board; H.O. § 17-509(9) (Knowingly violates any provision of this title; H.O. § 17-509(10) (Is convicted of or pleads guilty or nolo contendere to a felony; H.O. § 17-509(11) (Is professionally, physically or mentally incompetent); H.O. § 17-509(13) (Violates any rule or regulation adopted by the Board; H.O. § 17-509(16) (Commits an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy.

I further understand and admit that the State has sufficient evidence to prove by a preponderance of the evidence that my conduct is in violation of the following provisions of the Board's Code of Ethics, Code Md. Regs. ("COMAR") tit. 10, § 58.03.03 B

(prohibiting professional incompetence); 10.58.03.04 A (14) (mandating that a counselor take reasonable precautions to protect a client from psychological trauma); 10.58.03.04 B (3) (prohibiting entering into relationships that could compromise a counselor's objectivity or create a conflict of interest); 10.58.03.05 (requiring a counselor to make appropriate referrals and to terminate a professional relationship only after offering an appropriate referral; prohibiting a counselor from placing clients in positions that may result in damaging the interests and welfare of the client; prohibiting the abandonment or neglect of clients in counseling; prohibiting the fostering of dependent counseling relationships; prohibiting dual relationships; prohibiting the exploitation of trust and dependency); and 10.58.03.09 (prohibiting sexual misconduct, sexual relationships, sexual behavior, sexual exploitation and therapeutic deception with a client).

I have decided to surrender my license to practice clinical professional counseling and alcohol and drug counseling in Maryland to avoid disciplinary charges and the prosecution of those charges. I acknowledge that I have misused my position as a counselor and betrayed the trust placed in me. I acknowledge that if the Board were to proceed with charging and an evidentiary hearing in this matter, that sufficient evidence exists to establish a *prima facie* case that I violated the Act and regulations.

I wish to state clearly that I have voluntarily, knowingly, and freely chosen to submit this Letter of Surrender, and that I have complied with the Board's request to appear for an investigative interview. I understand that, by executing this Letter of Surrender, I am waiving the right to contest the investigative findings in a formal evidentiary hearing at 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 substantive and procedural protections provided by law, including the right to appeal.

I hereby affirm that I am not presently practicing counseling and that I have terminated the practice of licensed clinical professional counseling and certified alcohol and drug counseling in Maryland. Specifically, I affirm that henceforth:

- (1) I will not practice, attempt to practice, or offer to practice clinical professional counseling or alcohol and drug counseling;
- (2) I will not otherwise engage professionally with clients by personally providing therapeutic services involving the application of counseling principles and methods in the diagnosis, prevention, treatment, and amelioration of psychological problems and emotional or mental conditions of individuals or groups;
- (3) I will not practice counseling or therapy in any of the categories set forth in the Professional Counselors or Therapists Act;
- (4) I will not provide counseling supervision to other mental health professionals;
- (5) I will not represent to the public by title, by description of services, methods, or procedures, or otherwise, that I am licensed or certified by the Board to provide counseling services;

(6) I will not use any title, abbreviation, sign, card, or other representation that I am licensed or certified by the Board;

(7) I will not use the titles LCPC, CAC-AD or any initials, abbreviation, sign, card or words or other representation with the intent to represent that I practice licensed clinical professional counseling or certified alcohol and drug counseling, or with the intent to represent that I am authorized to engage in the practice of counseling or therapy.

I acknowledge that on or before the effective date of this Letter of Surrender, if I have not already done so, I shall present to the Board my license as a clinical professional counselor and my certificate as an associate alcohol and drug counselor, including any renewal certificates and wallet-sized cards.

I hereby further affirm the following:

1. I have notified all of my clients orally that I will no longer be providing counseling and therapy services and have also given my clients the names of other mental health counselors with whom they can continue counseling or therapy;
2. Either before or within five (5) days of the date of this permanent Letter of Surrender, I will provide written confirmation to the Board that this notification to my clients has occurred;
3. Any and all of my clients' medical records kept in the ordinary course of business are in the possession and control of the mental health facility that employed my services. The maintenance and storage of these records to ensure the preservation of the clients' confidentiality, are the responsibility of the facility, and to the best of my knowledge, are being maintained in accordance with Md. Health Gen. Code Ann. § 4-403 (Repl. Vol. 2009 and Supp. 2010).

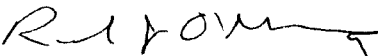
I acknowledge that this Letter of Surrender is a **PUBLIC DOCUMENT** and that the Board will release this Letter of Surrender to any appropriate database regulating licensed clinical professional counselors and certified alcohol and drug counselors, and in response to any inquiry, may inform that I have surrendered my license and certificate in lieu of further disciplinary action under the Act. I also understand that in the event that I would apply for licensure or certification in any form in any other state or jurisdiction, that this Letter of Surrender may be released or published by the Board to the same extent as a final order pursuant to Md. State Gov't. Code Ann. §10-611 *et seq.* (2009 Repl. Vol.), and that this Letter of Surrender may be considered to constitute a disciplinary action by the Board.

I further recognize and agree that by tendering this Letter of Surrender that my license to practice as a clinical professional counselor (LCPC) and my certification to practice as an associate counselor-alcohol and drug (CAC-AD) will remain permanently

surrendered. I agree never to apply for reinstatement of my license to practice as an LCPC or of my certification to practice as a CAC-AD. I further agree never to submit any application for licensure or certification in any of the categories set forth in the Professional Counselors and Therapists Act, or any application as an alcohol and drug trainee at a future date and that the Board is not obligated to consider any such applications.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. I understand the nature and effect of both the Board's actions and this Letter of Surrender fully. I acknowledge that I understand the language, meaning, terms, and effect of this Letter of Surrender. I acknowledge that I had the opportunity to consult with an attorney before signing this Letter of Surrender and I make this decision knowingly and voluntarily and without any duress.

Sincerely,

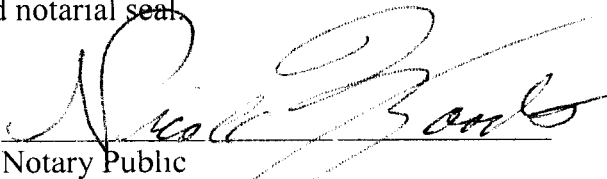

Richard O'Meara, LCPC, CAC-AD

NOTARY

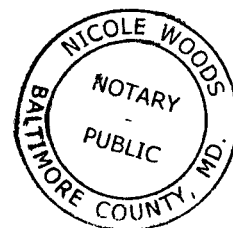
STATE OF Maryland
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 6 day of July, 2012, before me, Nicole Woods, a Notary Public of the State and City/County aforesaid, personally appeared Richard O'Meara and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was his voluntary act and deed.

AS WITNESS my hand and notarial seal.


Notary Public

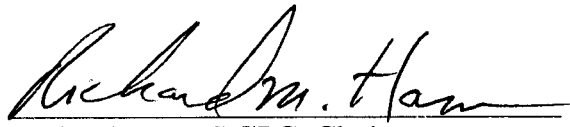
My Commission Expires: 9/9/15



ACCEPTANCE

ON BEHALF OF THE BOARD OF PROFESSIONAL COUNSELORS AND THERAPISTS, on this 18th day of July, 2012, I accept Richard O'Meara's public and permanent Letter of Surrender of his license to practice clinical professional counseling and his certification to practice associate alcohol and drug counseling in the State of Maryland.

7/18/12
Date


Richard Hann, LCPC, Chair
Board of Professional Counselors and
Therapists