

**State of New Hampshire
Board of Mental Health Practice
Concord, New Hampshire 03301**

In the matter of:
Erin Gilligan, LICSW
License No.: 1655
(Misconduct Allegations)

CONSENT DECREE

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the mental health profession, the New Hampshire Board of Mental Health Practice (“Board”) and Erin Gilligan, LICSW (“Respondent”), an Independent Clinical Social Worker licensed by the Board, do hereby stipulate and agree to resolve certain allegations of professional misconduct now pending before the Board according to the following terms and conditions:

1. Pursuant to RSA 330-A:28 and Mental Health Practice Administrative Rules (“Mhp”) 207, the Board has jurisdiction to investigate allegations of professional misconduct committed by mental health practitioners. Pursuant to RSA 330-A:28, VIII and Mhp 503.07, the Board may after a notice of hearing is issued resolve allegations by agreement by means of a consent decree.
2. The Board first granted Respondent a license to practice as an Independent Clinical Social Worker in the State of New Hampshire on April 30, 2012. Respondent holds license number 1655. Respondent’s license expires April 30, 2022.
3. On or about January 15, 2019, the Board received a written complaint from Christine Dubois, MS, Director of Behavioral Health Services at Catholic Medical Center (“CMC-BHU”) alleging the Respondent failed to set boundaries with a client, met socially with a

client following the termination of a therapeutic relationship, failed to properly terminate clinical services, and failed to properly maintain complete and accurate clinical records in violation of statutes, rules, and ethical codes governing the mental health profession in New Hampshire.

4. In response to the complaint, the Board conducted a formal investigation and obtained information from various sources pertaining to whether the Respondent's conduct violated statutes and rules specified in the Board's Orders of Formal Investigation.
5. Respondent stipulates that if a disciplinary hearing were to take place, Hearing Counsel could prove that Respondent engaged in professional misconduct in violation of RSA 330-A:27 II. (i); and/or Mhp 502.01(I); and/or *NASW* Code of Ethics Provisions: 1.06 (c), 1.17, and/or 3.04 (a), by the following facts:
 - A. Respondent has no prior history of misconduct or professional discipline.
 - B. Respondent began working for CMC-BHU as a clinical social worker in December 2017.
 - C. In the course of employment at CMC-BHU, Respondent began a therapeutic relationship with the Client on December 5, 2017. Nineteen sessions were documented with the last session occurring on July 13, 2018. The file did not document any basis for termination of treatment.
 - D. During the July 13, 2018 session, Respondent and Client exchanged phone numbers. Respondent reached out to Client in August 2018. They met socially and discussed issues pertaining to Respondent's personal life.
 - E. On November 16, 2018, Client contacted Respondent and requested a referral to a specialist. Respondent offered an appointment time to see the Client but did not

provide a referral. The Client did not respond.

6. The Board finds that Respondent committed the acts as described above and concludes that, by engaging in such conduct, Respondent violated RSA 330-A:27 II. (i); and Mhp 502.01(l); and *NASW* Code of Ethics Provisions: 1.06 (c), 1.17, and 3.04 (a).
7. Respondent acknowledges that this conduct constitutes grounds for the Board to impose disciplinary sanctions against Respondent's mental health practitioner license in the State of New Hampshire.
8. Respondent consents to the Board imposing the following discipline, pursuant to RSA 330-A:27, III:
 - A. Respondent is **REPRIMANDED**.
 - B. Respondent shall be assessed an **ADMINISTRATIVE FINE** in the amount of **five hundred dollars (\$500.00)**. Payment shall be made in two (2) consecutive monthly installments of two hundred and fifty dollars (\$250.00) with the first payment due on the first of month following the effective date of this agreement.
 - C. Respondent shall be assessed **ADMINISTRATIVE COSTS OF INVESTIGATION** of four thousand one hundred nineteen dollars and twenty-five cents (\$4,119.25) where all but **five hundred dollars (\$500.00)** is suspended for a period of one (1) year from the effective date of the Consent Decree provided no future final determination of professional misconduct arising from different facts and circumstances. If after a period of one (1) year no further complaints have been filed that give rise to a final determination of professional misconduct by the Board, the suspended portion of three thousand six hundred nineteen dollars and twenty-

five cents (\$3,619.25) shall terminate permanently. Only after a final determination based on a complaint filed prior to the one-year period would result in the suspended costs being brought forward. **Payment of the five hundred dollars (\$500.00)** shall be made in two (2) consecutive monthly installments of two hundred and fifty dollars (\$250.00) following the two payments of the administrative fine as stated in paragraph 8.B.

- D. All payments shall be in the form of a check or money order made payable to the Treasurer, State of New Hampshire and shall specify on the memo line whether the payment is for “Administrative Fine” or “Administrative Costs”. In total, Respondent shall make four consecutive payments of two hundred and fifty dollars. The first payment shall be sent with a copy this *Consent Decree*. All payments shall be sent to:

ATTN: OPLC Finance and Board of Mental Health Practice
Office of Professional Licensure and Certification
7 Eagle Sq.
Concord, NH 03301

A separate mailed copy of the payment shall also be sent to:
ATTN: Collin Phillips, Attorney I and Ashley Czechowicz,
Administrator,
Office of Professional Licensure and Certification
7 Eagle Sq.
Concord, NH 03301

- E. Respondent shall meaningfully participate in a program of a total of ten (10) hours of **CONTINUING EDUCATION** on the topic of ethics. These hours shall be in addition to the hours required by the Board for renewal of licensure. All continuing education hours shall have been completed after the date the complaint was filed and shall be completed within **ninety (90) days** of the effective date of this *Consent*

Decree. Respondent shall notify the Board in writing and provide written proof of completion within fifteen (15) days of completing these hours, or for courses already completed between the complaint and the effective date, within (15) days of the effective date of this *Consent Decree*. Respondent shall bear all costs of education and reporting required by this *Consent Decree* but shall be permitted to share such costs with third parties.

- F. Within ten (10) days of the effective date of this *Consent Decree*, as defined further below, Respondent shall furnish a copy of the *Consent Decree* to any current employer for whom Respondent performs services as a licensed mental health practitioner or work which requires education, training, or degree in counseling or directly or indirectly involves client care, and to any agency or authority which licenses, certifies or credentials counselors, with which Respondent is presently affiliated.
- G. For a continuing period of one (1) year from the effective date of this *Consent Decree*, Respondent shall furnish a copy of this *Consent Decree* to any employer to which Respondent may apply for work as a licensed mental health practitioner or for work in any capacity which requires education training or degree in counseling or directly or indirectly involves client care; and to any agency or authority that licenses, certifies or credentials mental health counselors, to which Respondent may apply for any such professional privileges or recognition.
9. The Board may consider Respondent's compliance with the terms and conditions herein in any subsequent proceeding before the Board regarding Respondent's license.
10. Respondent's breach of any terms or conditions of this *Consent Decree* shall constitute

unprofessional conduct pursuant to RSA 330-A:27, II (c), and a separate and sufficient basis for further disciplinary action by the Board.

11. Except as provided herein, this *Consent Decree* shall bar the commencement of further disciplinary action by the Board based upon the misconduct described above. However, the Board may consider this misconduct as evidence of a pattern of conduct in the event that similar misconduct is proven against Respondent in the future. Additionally, the Board may consider the fact that discipline was imposed by this Order as a factor in determining appropriate discipline should any further misconduct be proven against Respondent in the future.
12. This *Consent Decree* shall become a permanent part of Respondent's file, which is maintained by the Board as a public document.
13. Respondent voluntarily enters into and signs this *Consent Decree* and states that no promises or representations have been made to her other than those terms and conditions expressly stated herein.
14. The Board agrees that in return for Respondent executing this *Consent Decree*, the Board will not proceed with the formal adjudicatory process based on the facts described herein.
15. Respondent understands that her action in entering into this *Consent Decree* is a final act and not subject to reconsideration or judicial review or appeal.
16. Respondent has had the opportunity seek and obtain the advice of an attorney of her choosing in connection with her decision to enter into this *Consent Decree*.
17. Respondent understands that the Board must review and accept the terms of this *Consent Decree*. If the Board rejects any portion, the entire *Consent Decree* shall be null and void. Respondent specifically waives any claims that any disclosures made to the Board during

its review of this *Consent Decree* have prejudiced her right to a fair and impartial hearing in the future if this *Consent Decree* is not accepted by the Board.

18. Respondent is not under the influence of any drugs or alcohol at the time she signs the *Consent Decree*.
19. Respondent certifies that she has read this document titled *Consent Decree*. Respondent understands that she has the right to a formal adjudicatory hearing concerning this matter and that at said hearing she would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her own behalf, to contest the allegations, to present oral argument, and to appeal to the courts. Further, Respondent fully understands the nature, qualities, and dimensions of these rights. Respondent understands that by signing this *Consent Decree*, she waives these rights as they pertain to the misconduct described herein.
20. This *Consent Decree* shall take effect as an Order of the Board on the date it is signed by an authorized representative of the Board.

[end of terms; signatures to follow]

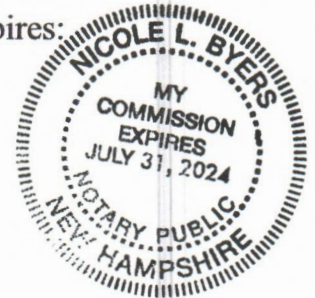
FOR RESPONDENT

Dated: 5/27/22, 2022

Erin Gilligan
Erin Gilligan, LICSW
Respondent

On this 27th day of May A.D. 2022 personally
appeared the person who subscribe to the following instrument and acknowledged the
same as her/his voluntary act and deed before me.

Nicole L. Byers
Justice of the Peace/Notary
Public My commission expires:



FOR THE BOARD

ACCEPTED BY BOARD OF MENTAL HEALTH PRACTICE on this 17th day of
June, 2022 (Effective Date).

Date: June 17, 2022

Ashley Czedowicz
(Signature)
Ashley Czedowicz
(Print or Type Name)
Authorized Representative of the
Board of Mental Health Practice