

STATE OF MAINE
BOARD OF SOCIAL WORKER LICENSURE

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| IN RE: |) | |
| |) | |
| MORGAN EG POLKY |) | CONSENT AGREEMENT |
| |) | |
| Complaint No. 2018-SOC-14199 |) | |

PARTIES

This document is a Consent Agreement regarding disciplinary action against Morgan EG Polky's license to practice as a social worker in the State of Maine. The parties to this Consent Agreement are: Morgan EG Polky ("Ms. Polky"), the State Board of Social Worker Licensure ("Board"), and the Office of the Maine Attorney General ("Attorney General"). This Consent Agreement is entered into pursuant to 10 M.R.S. § 8003(5-A).

FACTS

1. At all times pertinent to this matter, Ms. Polky was licensed by the Board as a social worker, license number LS15100.
2. At all times pertinent to this matter, Ms. Polky was employed as a caseworker by the Maine Department of Health and Human Services, Office of Child and Family Services (OCFS).
3. Between December 2017 and February 2018, Ms. Polky was assigned to assist an adult OCFS client ("Client A") in his efforts to achieve reunification with his children.
4. In February 2018, Ms. Polky sent to Client A text messages containing sexually explicit language and sexually explicit photographs of Ms. Polky.
5. As of April 2018, Ms. Polky is no longer employed by OCFS.

6. On April 9, 2018, OCFS filed a complaint against Ms. Polky's license with the Board, which was docketed as 2018-SOC-14199, alleging that Ms. Polky had engaged in sexual misconduct with Client A.
7. On September 14, 2018, following a presentation of the complaint, the Board voted to offer Ms. Polky this Consent Agreement in order to resolve 2018-SOC-14199.
8. On December 31, 2018, Ms. Polky's license with the Board expired because she did not submit a renewal application.
9. Absent acceptance of this Consent Agreement by signing and dating it and returning it to Cathy Neumann, Complaint Coordinator, Office of Professional and Occupational Regulation, 35 State House Station, Augusta, Maine 04333-0035 by May 17, 2019, the Board will resolve this matter by holding an adjudicatory hearing.

COVENANTS

10. Ms. Polky admits to the facts as stated above and admits that such conduct constitutes grounds for imposing discipline against her license as follows:
 - a. Pursuant to 10 M.R.S. § 8003(5-A)(A)(2) for misconduct as defined in Board Rules, Chapter 16, § 3(3)(G) by violating the National Association of Social Workers (NASW) Code of Ethics § 1.06(c) *"Social workers should not engage in dual or multiple relationships with clients or former clients in which there is a risk of exploitation or potential harm to the client."*;
 - b. Pursuant to 10 M.R.S. § 8003(5-A)(A)(2) for misconduct as defined in Board Rules, Chapter 16, § 3(3)(G) by violating the NASW Code of Ethics § 1.11 *"Social workers should not sexually harass clients. Sexual harassment*

includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.”; and

- c. Pursuant to 10 M.R.S. § 8003(5-A)(A)(2) for misconduct as defined in Board Rules, Chapter 16, Section 3(4)(A) by engaging in sexual misconduct with a client, where “sexual misconduct” is defined in Board Rules, Chapter 10, §§ 9 and 14 as “any conduct by a social worker with a client or another individual described in these rules that is overtly sexual or may be reasonably interpreted as overtly sexual, even when initiated or consented to by a client.”

11. As DISCIPLINE for the conduct admitted to in paragraph 10 above, Ms. Polky agrees to accept the following DISCIPLINARY ACTION:

- a. A REPRIMAND; and
- b. REVOCATION of her Maine social worker license retroactive to December 31, 2018.

12. This Consent Agreement is not appealable and is effective until modified or terminated by the parties hereto.

13. This Consent Agreement may be modified or terminated only pursuant to a written agreement signed by all the parties to this Consent Agreement.

14. The Board and the Attorney General may communicate and cooperate regarding any matter related to this Consent Agreement.

15. This Consent Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408-A.

16. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.
17. Nothing in this Consent Agreement shall prohibit Ms. Polky from applying for licensure with the Board in the future. The Board, however, shall have sole discretion in granting or denying any future application, and this Consent Agreement may be used as the basis for denial of any future application.
18. The Board and Ms. Polky agree that no further agency action will be initiated against her license by the Board based upon the specific violations admitted to herein, however, in the event that Ms. Polky applies for licensure at any level with the Board at any point in the future, the Board may consider the conduct described above in determining whether to grant or deny the application, and this Consent Agreement may be introduced as evidence in any future adjudicatory hearing involving Ms. Polky. The Board may also consider the fact that discipline was imposed by this Consent Agreement in determining appropriate discipline in any further complaints against Ms. Polky.
19. **Ms. Polky acknowledges by her signature hereto that she has read this Consent Agreement, that she has had an opportunity to consult with an attorney before executing this Consent Agreement, that she executed this Consent Agreement of her own free will, and that she agrees to abide by all terms and conditions set forth herein.**

Signature page to follow


DATED:

5-15-19


MORGAN EG POLKY


DATED:

6/1/19


LINDA BUTLER, LCSW, Chairperson
Board of Social Worker Licensure

DATED:

6/14/19


SAMANTHA Y. MORGAN
Assistant Attorney General