

**Department of Public Works**  
**And**  
**Department of Human Resources**  
**Response**  
**Case # 24-0031-I**



CITY OF BALTIMORE  
MAYOR BRANDON M. SCOTT

MEMORANDUM

<b>TO</b>	Isabel Mercedes Cumming, Inspector General
<b>FROM</b>	Quinton M. Herbert, Director, Department of Human Resources Khalil Zaied, Director, Department of Public Works
<b>DATE</b>	May 24, 2024
<b>SUBJECT</b>	OIG Case #24-0031-I

On Wednesday, May 15, 2024, the Office of Inspector General (“OIG”) referred Case #24-0031-I to the Departments of Human Resources and Public Works for a response to the investigation conducted by the OIG (Exhibit A). A Complainant alleged that ■ was “targeted and sent for a drug test”. The Complainant also challenged the veracity of ■ urinalysis conducted at Mercy Clinic.

Ultimately, the OIG found that the complaint was unsubstantiated. The OIG however noted that DPW Personnel completed the Behavioral Checklist after reasonable suspicion had been determined and the employee was sent to Mercy. Additionally, the OIG recommended that EAP “develop and document comprehensive standard operating procedures for processes, including case management.”

With respect to the OIG’s recommendations that DPW staff complete the Behavioral Checklist in advance of sending employees who may be under the influence of alcohol or an illicit substance to Mercy Clinic, DPW will work with staff to ensure that the checklist is completed at the appropriate time as anticipated and articulated by the Substance Abuse Policy.

With respect to EAP’s case management procedures, DHR will take the OIG’s recommendation under advisement. The OIG report specifically stated: “[t]he OIG could not confirm the presence of written standardized policies regarding EAP case management. EAP’s case management software revealed some case note entries for the Complainant were entered or edited months after contact with the Complainant.”

It is worth noting that the clinicians in EAP are Licensed Clinical Social Workers. Their work is ultimately governed by COMAR which has specific guidance related to case management. In fact, “case management” is a term of art in the professional practice of social work. “Case management” means a method of providing services by which a social worker assesses the needs of a client and arranges, coordinates, monitors, evaluates, and advocates for services to meet the needs of the client.” *Code of Maryland Regulations, Title 10 Maryland Department of Health, Part 5, Subtitle*

42. *Board of Social Work Examiners, Chapter 10.42.02 Social Work Practice.* The case management process is carried out within the ethical and legal realms of a licensed clinical social worker's scope of practice, using critical thinking and evidence-based knowledge. The overarching themes in the case management process as articulated in COMAR include the activities described below:

- (1) Affirm the worth and dignity of the individual client as well as mutual responsibility in decision making;
- (2) Promote client self-determination by assuring client involvement in planning and implementation of services;
- (3) Keep the interest of the client as the focus of all case management activities; and
- (4) Assure appropriate confidentiality of client information.

Licensed Clinical Social Workers assigned to EAP currently employ industry best practices in managing cases referred to EAP. In fact, after reviewing the clinical notes for the instant matter, the OIG found “[b]ased on all the information reviewed during the OIG’s investigation, the evidence supports EAP’s finding of non-compliance.” Again, the DHR will take the recommendations of the report under advisement and will provide services that are consistent with requirements set forth in state regulations for providing clinical social work services.