

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
PROFESSIONAL COUNSELORS

IN THE MATTER OF:)
)
JOHN RICHARDSON, LPC)
Respondent.)

CONSENT ORDER

THIS CAUSE, coming on to be heard and being heard before the North Carolina Board of Licensed Professional Counselors (“the Board”), at its meeting on March 1, 2013, pursuant to a charge letter issued by the Board on December 20, 2012, which is now pending; and

IT APPEARING to the Board that the Respondent has stipulated to certain facts and to the entry of a Consent Order in conformity therewith;

IT IS HEREBY STIPULATED by the undersigned Respondent and the Board that:

1. Respondent was at all times relevant to this cause a licensed professional counselor and is subject to the Board’s jurisdiction pursuant to the North Carolina Licensed Professional Counselors Act, Chapter 90, Article 24 of the North Carolina General Statutes.
2. Respondent admits that he was employed in his capacity as an LPC at FSS from May 12, 2012, until on or about October 19, 2012. During the time that he was employed at FSS he was impaired due to his substance abuse and mental health status. While employed at FSS he violated confidentiality by leaving mental health records out in plain view and taking them out of the facility to his home. Respondent further did not complete group notes and did not complete a substance abuse assessment and treatment plan for a client at FSS. Respondent also documented that he met with two clients at the same time, which he contends was a mistake.
3. Respondent admits that his conduct violates N.C. Gen. Stat. §§ 90-340 (a)(9) & (a)(11) of the Licensed Professional Counselors Act and Sections A 1b, A 1c, B 6a, and C 2g of the American Counseling Association Code of Ethics.
4. The Board and Respondent wish to avoid the time and the costs associated with full litigation of this matter and, in lieu of any proceedings, enter into this Consent Order.
5. Respondent expressly waives notice of hearing, a hearing, the making of findings of fact and conclusions of law, and all further proceedings before the Board to which the Respondent may be entitled by law. Respondent further agrees that presentation of this Consent Order to the Board for approval shall not constitute improper ex parte communication between the Board and its counsel, or the Board and its staff, nor require the recusal of the members of the Board from consideration of this matter before the full Board, should a hearing be required in this case.

6. Respondent forever releases the State of North Carolina, the North Carolina Board of Licensed Professional Counselors, and all its members, officials, agents, representatives and employees, both past and present, in their individual or official capacities from any and all liability, suits, claims, and causes of action, arising prior to or as a result of the execution of this Consent Order.

7. Respondent waives the right to seek judicial review or to otherwise challenge the validity of this Consent Order in any court. Respondent understands and agrees that this Consent Order shall be effective only after approval by the full Board and signature of its Chairperson.

8. This Consent Order contains the entire agreement between the undersigned, there being no agreement of any kind, verbal or otherwise, which varies, alters, or adds to this Consent Order.

Based upon the record and the foregoing stipulations,

NOW, THEREFORE IT IS HEREBY ORDERED as follows:

I. Respondent's license as an LPC shall be placed on PROBATION for a period of one year during which:

A. Respondent shall complete 3 hours of continuing education coursework on confidentiality of records and proper maintenance of records. Upon successful completion of this continuing education coursework, Respondent shall submit a certificate of completion provided by the continuing education sponsor to the Board. This requirement shall be in addition to the continuing education coursework required for all licensees under Board rule. All costs associated with this continuing education shall be borne by Respondent. Respondent shall complete this continuing education within six months of the execution of this Consent Order.

B. Respondent shall be supervised for a period of one year by a Board approved supervisor for one hour of individual face to face supervision for every 40 hours of counseling practice, with no less than one supervision session per month. Respondent must file a supervision contract and the supervisor must be approved by the Board prior to the beginning of supervision. Respondent's supervisor shall submit quarterly supervision reports with the Board. At the conclusion of the one year of supervision, Respondent's Board approved supervisor shall submit a Final Supervision Report to the Board. Respondent must receive at least average ratings from his supervisor on all reports in order to be released from the supervision. Any costs and associated expenses of this supervision shall be borne by the Respondent.

C. Respondent shall remain in mental health and substance abuse treatment for a period of one year. Respondent's mental health treatment provider and substance abuse treatment provider shall submit reports to the Board every three months regarding Respondent's

sobriety and mental health status for a period of one year. Respondent must receive satisfactory reports from his treatment providers in order to be released from this provision. Any costs and expenses associated with this treatment shall be borne by Respondent.

D. If any of the reports from either Respondent's supervisor or treatment providers are not satisfactory, then Respondent shall remain on probation for at least one additional year or until the reports from the supervisor and treatment providers are satisfactory to the Board, whichever takes longer to occur.

II. Upon successful completion of the conditions set forth in Roman Numeral I. A through D, Respondent shall be released from probation.

III. The failure of Respondent to abide by any provisions of this Consent Order, if proven true by a preponderance of the evidence following notice and an opportunity for hearing, shall result in the suspension, revocation, or other disciplinary action against Respondent's license, in the discretion of the Board.

IV. The Board shall maintain this Consent Order as a public record pursuant to N.C. Gen. Stat. §§132-1 and 90-340(f) and shall provide copies to the American Counseling Association and the National Board of Certified Counselors, and to other agencies or individuals as required by law.

This the 15th day of March, 2013.

CONSENTED TO BY:

NORTH CAROLINA BOARD OF
LICENSED PROFESSIONAL COUNSELORS

BY: [Signature] ^{3/15/13} John Richardson 01/31/13
Denauvo Robinson, LPC date John Richardson date
Board Chairperson Respondent

Sworn to and subscribed before me this the 31st
day of January, 2013.

Amanda Crenshaw

(NOTARY PUBLIC)

My Commission Expires:
October 20, 2016

