

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
PROFESSIONAL COUNSELORS

IN THE MATTER OF:)
)
KEDAR BROWN, LPC)
Respondent.)
No. 1670)

CONSENT ORDER

October 19 

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 ~~September 14~~, 2018, pursuant to a charge letter issued by the Board on July 2, 2018, 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. During the period from on or about October 9, 2015, to on or about April 14, 2016, Respondent provided counseling services to client X. During the course of providing counseling services to client X, Respondent failed to properly create and maintain records of his counseling services to client X, including an intake form, a professional disclosure statement, billing records, a counseling or treatment plan, and progress or case notes. Although Respondent submitted some records in response to a subpoena from the Board, Respondent admitted that he created the records following his receipt of the subpoena.
3. As a result, Respondent did not create records of counseling services to client X, at or about the time counseling services occurred with client X in the manner required under statute and Board rule. Further, Respondent failed to respond to client X’s multiple requests for a copy of his counseling records.
4. While providing counseling services to client X, Respondent recommended to client X that he attend Respondent’s “Vision Quest” retreat, which was a 10 day retreat in the Blue Ridge Mountains. Respondent facilitated and organized this retreat program and, as a result, had a financial interest in it. Respondent created a conflict of interest and exercised undue influence over client X when Respondent recommended that client X attend his retreat. The conflict continued when client X decided not to attend the retreat and requested the return of his payment.
5. Respondent admits that his conduct as set forth above in paragraph number 2-4 violates Sections A.1.b., A.1.c., A.2.a., A.2.b., A.6.d., A.10.b., B.6.a., B.6.e., and B.6.h., C.3.f., of the

American Counseling Association Code of Ethics (2014), and violates N.C. Gen. Stat. §§ 90-340 (a)(7), (a)(9), and (a)(13) of the North Carolina Licensed Professional Counselors Act, and violates Section 21, Chapter 53. 0204 of the North Carolina Administrative Code.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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 a Licensed Professional Counselor is hereby **REPRIMANDED**.

II. Respondent's license as a Licensed Professional Counselor shall be placed on **PROBATION** for a period of at least one year or until he successfully completes the following, whichever takes longer to occur:

III. 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 week of counseling practice, regardless of the hours of practice, for no fewer than two sessions per month. Respondent must file a supervision contract and the supervisor must be approved by the Board prior to the beginning of supervision. The supervision contract must be filed with the Board office no later than one month after this Consent

Order is executed by the Board.

IV. Respondent's supervisor shall submit quarterly supervision reports with the Board at the end of each quarter of supervision. 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 Respondent.

V. Respondent shall provide a copy of this Consent Order to his Board approved supervisor.

VI. Upon successful completion of the conditions set forth in Roman Numeral II through IV, Respondent may make a written request that the Board release him from supervision, which the Board shall grant so long as all conditions have been successfully completed.

VII. 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.

VIII. 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.

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This the 19th day of October, 2018.

CONSENTED TO BY:

NORTH CAROLINA BOARD OF
LICENSED PROFESSIONAL COUNSELORS

BY:

Denayvo Robinson 09/19/18
Denayvo Robinson, Ph.D., LPCS date
Board Chairperson

Kedar S. Brown 09/10/18
Kedar S. Brown, LPC date
Respondent