

IN THE MATTER OF:)
MELANIE LOCKLEAR)
Case No. 1453)
Respondent.)

FINAL DECISION

The North Carolina Board of Licensed Professional Counselors ("Board") heard this cause on March 13, 2015. A Notice of Hearing was served on Respondent on January 20, 2015, notifying her that the hearing would take place on March 13, 2015, at 11 am, or as soon thereafter as possible at 7 Terrace Way, Greensboro, North Carolina 27403. Respondent was not present at the hearing. Sondra C. Panico, Assistant Attorney General, appeared on behalf of the Board.

At the hearing of this matter, the Board heard testimony from Katrina Brent, Board Administrator, and accepted exhibits into evidence in a public session. After hearing the evidence, the Board retired into an executive session to deliberate, during which deliberations it made the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

The Board finds, by a preponderance of the evidence, that the following facts are true and relevant:

1. At all relevant times the Respondent was a licensed professional counselor (LPC) licensed by the Board.
2. On May 21, 2014, the Ethics Review Committee of the Board issued a charge letter against Respondent alleging that she has failed to cooperate and respond to the Board. (Board Exhibit Number 2).
3. Respondent was served with the Notice of Hearing in this matter, on or about January 26, 2015. (Board Exhibit Number 1).
4. On June 28, 2013, Respondent reported to the Board that she had a criminal misdemeanor charge of assault pending against her and a domestic violence protective order had been filed against her. At that time, Respondent informed the Board that she would contact the Board office once the matter was resolved. (Board Exhibit Number 7).
5. On July 9, 2013, Bonnie Strickland, then Deputy Administrator of the Board, sent Respondent a letter requesting that Respondent provide written documentation pertinent to this

matter so that the Board could receive a full explanation of the events. Respondent was directed to submit her response within fifteen days. Respondent did not respond to her letter. (Board Exhibit Number 6).

6. On February 24, 2014, Respondent was sent another letter requesting a response to this matter within fifteen days. Respondent did not respond to this second letter. (Board Exhibit Number 5).

7. On April 14, 2014, Respondent was sent a follow up email to the email address she had on file with the Board, requesting that she contact the Board office regarding this matter. Respondent did not respond. (Board Exhibit Number 4).

8. As of the date of the hearing, the Board has not received a response from Respondent in this matter.

CONCLUSIONS OF LAW

I. The Board has jurisdiction of the subject matter of this contested case and over the Respondent.

II. N.C. Gen. Stat. § 90-340(a)(15) states:

Has failed to cooperate with or to respond promptly, completely, and honestly to the Board, to credentials committees, or to ethics committees of professional associations, hospitals, or other health care organizations or educational institutions, when those organizations or entities have jurisdiction.

III. Respondent's conduct violated N.C. Gen. Stat. § 90-340(a)(15), which warrants the disciplinary action taken by the Board.

NOW, THEREFORE, the NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS ORDERS:

I. The license of the Respondent, MELANIE LOCKLEAR, is hereby REVOKED.

II. Respondent shall turn in her license to practice counseling in North Carolina to the Board no later than May 20, 2015. She shall mail her original license to: North Carolina Board of Licensed Professional Counselors, Post Office Box 77819, Greensboro, North Carolina 27417, Attention: Katrina Brent.

III. No later than May 20, 2015, Respondent shall terminate services to all of her patients/clients and make provisions for the appropriate transition of her patients/clients to another therapist, as appropriate. Respondent shall also cease to engage in any other activities

that meet the definition of the practice of counseling in N.C. Gen. Stat. § 90-330(a)(3). Respondent shall provide a signed affidavit (a written statement made under oath or affirmation taken before a person having authority to administer such oath or affirmation) to the Board no later than May 20, 2015, attesting that she has terminated and transferred all of her patients/clients by May 20, 2015. She shall further attest that she is no longer engaged in the practice of counseling in any way.

IV. The Board shall maintain this Final Decision 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 30th day of April, 2015.

NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS

BY: Katherine H. Glenn, PhD, LPCS
KATHERINE H. GLENN, PH.D., LPCS
BOARD CHAIRPERSON

APPEAL

Pursuant to N.C. Gen. Stat. § 150B-45, any party wishing to appeal this Final Decision may commence their appeal by filing a Petition for Judicial Review in the superior court of the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, in the county where the contested case which resulted in the final decision was filed. The party seeking review must file the petition within 30 days after being served with a written copy of this Final Decision.

CERTIFICATE OF SERVICE

I, Katrina Brent, Administrator of the North Carolina Board of Licensed Professional Counselors, do hereby certify that I have this day served a copy of the foregoing **FINAL DECISION** upon the following by depositing a copy of same in the United States mail, postage prepaid addressed as follows:

Melanie Locklear
1644 Mount Olive Church Road
Lumberton, NC 28360

Sondra C. Panico
Assistant Attorney General
Service to State Agencies
Post Office Box 629
Raleigh, North Carolina 27602

This the ___th day of May, 2015.

Katrina Brent, Administrator
North Carolina Board of Licensed
Professional Counselors