

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
PROFESSIONAL COUNSELORS

IN THE MATTER OF:)

JOHN RICHARDSON, LPC)

Respondent.)

Case Number 1565)

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 February 26, 2016, pursuant to a charge letter issued by the Board on December 16, 2015, 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 engaged in an inappropriate intimate relationship with a former client (“client X”). Respondent provided professional counseling services to client X from on or about March 11, 2013 through on or about May 22, 2013. Following Respondent’s last counseling session with client X, he saw her on approximately 4-5 occasions, including going out with her to lunch, going to the Farmers Market with her, and having her come over Respondent’s house. Respondent also frequently texted with client X during this time period. Respondent described the relationship as being of a flirtatious nature. Respondent and client X kissed on one occasion. During this time period Respondent’s license was under Probation, pursuant to a Consent Order dated March 1, 2013.
3. Respondent admits that his conduct violates N.C. Gen. Stat. § 90-340 (a)(9) of the Licensed Professional Counselors Act and Sections A. 5.b. and A. 5.c of the American Counseling Association Code of Ethics (2005).
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 is hereby SUSPENDED for a period of one year beginning on March 11, 2016.

II. During the suspension, Respondent shall cease to engage in any activities that meet the definition of the practice of counseling under N.C. Gen. Stat. ' 90-330(a)(3), or fall under the prohibitions set forth in N.C. Gen. Stat. § 90-331.

III. Respondent shall submit an affidavit no later than March 12, 2016, attesting that he is no longer engaged in the practice of counseling.

IV. Following the one year suspension, Respondent's license as an LPC shall be placed on PROBATION for a period of two years during which:

A. Respondent shall complete ten hours of continuing education coursework from a Board approved continuing education sponsor, as set forth in 21 NACA 53.0603, in the area of appropriate boundaries with clients and former clients. 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 beginning of the probationary period.

B. Respondent shall be supervised for a period of two years 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 two supervision sessions per month. The supervisor must be someone with whom Respondent has no prior personal relationship. 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 end of each quarter of supervision. At the conclusion of the two years 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 two years. Respondent's mental health and substance abuse treatment provider(s) shall submit reports to the Board every three months, on the Board approved form, regarding Respondent's mental health and substance abuse status for a period of two years. Respondent must receive satisfactory reports from his treatment provider(s) 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(s) or treatment provider(s) are not satisfactory, then Respondent shall remain on probation for at least one additional year or until the reports from the supervisor and treatment provider(s) are satisfactory to the Board, whichever takes longer to occur.

E. Respondent shall write an article for the Board that may be placed in the Board newsletter regarding his own experience with boundaries violations and what he has learned to assist other LPCs with avoiding those issues. If this article is placed in the Board newsletter, it will not identify Respondent in any way as the author.

V. Upon successfully completion of the conditions set forth in Roman Numeral IV. A through E, Respondent may make a written request that the Board release him from probation, which the Board, through its Ethics Review Chair, shall grant so long as all conditions have been successfully completed.

VI. 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.

VII. 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 26th day of February, 2016.
~~20~~ ~~January~~

CONSENTED TO BY:

NORTH CAROLINA BOARD OF
LICENSED PROFESSIONAL COUNSELORS

BY: Katherine H. Glenn, Ph.D., LPCS
Katherine H. Glenn, Ph.D., LPCS date
Board Chairperson

John Richardson 01/20/2016
John Richardson date
Respondent

Lori Abel Meyerhoffer 01/21/16
Lori Abel Meyerhoffer date
Yates, McLamb & Weyher, LLP
Attorneys at Law
Attorney for Respondent