

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED CLINICAL
MENTAL HEALTH COUNSELORS

IN THE MATTER OF:)

LAURA SCHMULDT, LCMHCA)
Respondent.)
No. 1888)

CONSENT ORDER

THIS CAUSE, coming on to be heard and being heard before the North Carolina Board of Licensed Clinical Mental Health Counselors (“the Board”), at its meeting on April 2, 2024, pursuant to a charge letter issued by the Board on October 13, 2022 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 clinical mental health counselor associate (“LCMHCA”) and is subject to the Board’s jurisdiction pursuant to the North Carolina Licensed Mental Health Counselors Act, Chapter 90, Article 24 of the North Carolina General Statutes.
2. In the summer of 2019, Respondent taught a class in a master’s program to a student, C.P. Respondent continued to interact with C.P. during the two years following the completion of the class through various trainings, his volunteer course participation, and weekly peer group meetings provided by the University.
3. As part of the October 2020 ruling by a superior court judge, C.P. was ordered to “meet with his mental health professional once a week to discuss on-going issues related to diagnosis of Post-Traumatic Stress Disorder (PTSD) and anger management.” Respondent wrote two letters on C.P.’s behalf, dated November 24, 2020, and April 27, 2021, which were presented by C.P. to the Court as evidence of his compliance with the Court Order. Respondent maintains she was unaware that C.P. intended to present the letters to the Court.
4. In one of Respondent’s letters which C.P. submitted to the Court, Respondent documented that C.P. “has made significant progress in addressing his mental health needs and will continue to do so.” In another letter, Respondent confirmed having “weekly sessions [with C.P.] since October 2020 which have addressed issues related to C.P.’s diagnosis of PTSD and the use of anger management strategies.”
5. During Respondent’s interview with the Board’s investigator, Respondent denied ever providing counseling to C.P. Respondent also denied having any counseling records of the said weekly sessions with C.P. Furthermore, Respondent acknowledged that the letters used clinical language (i.e. diagnosis, sessions, and treatment) and that Respondent used Respondent’s

credentials, signature, and counseling practice letterhead, all of which identified Respondent as acting in the role of a counselor rather than a professor. In addition, Respondent's behavior raised concerns regarding Respondent's misrepresentations to the public, as well as Respondent's role as a counselor educator.

6. Respondent admits that her conduct as set forth above constitutes violations of Sections A.4.a., A.6.d., C.6.b., F.7.a., F.9.c, F.10.c, and F.10.f. of the American Counseling Association Code of Ethics (2014) and violations of NC. Gen. Stat. §§ 90-340 (a)(4), (a)(7), and (a)(9) of the North Carolina Licensed Clinical Mental Health Counselors Act.

7. 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.

8. 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.

9. Respondent forever releases the State of North Carolina, the North Carolina Board of Licensed Clinical Mental Health 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.

10. 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.

11. Respondent acknowledges that she was either represented by legal counsel in connection with her consideration and execution of this Consent Order or, alternatively, that she was free to engage such legal counsel to advise her concerning this Consent Order and its terms prior to the time that Respondent executed this Consent Order and that she alone decided not to engage such legal counsel.

12. 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. Within six months of the executive of this Consent Order, Respondent shall complete six hours of continuing education coursework focusing on Ethics, including dual relationships. The course shall be taught by an NBCC approved continuing education provider.

II. This coursework requirement shall be in addition to the continuing education coursework required for all licensees under the Board's Administrative Rules, and shall not count for continuing education credit. All costs associated with this continuing education requirement shall be borne by Respondent.

III. Upon successful completion of this continuing education coursework, Respondent shall submit certificates of completion provided by the continuing education sponsor to the Board.

IV. Respondent will remain under active supervision while practicing as an LCMHCA and she shall not apply for licensure as an LCMHC until she has complied with all of the terms of this Consent Order.

V. Respondent shall share this Consent Order with her employer in any employment which involves clinical mental health counseling. If she is currently employed as an LCMHCA or becomes employed as an LCMHCA before the consent order is completely complied with, she shall provide this consent order to her employer.

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, may result in the suspension, revocation, or other disciplinary action against Respondent's license, in the discretion of the Board.

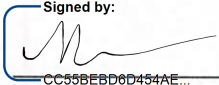
VII. The Board shall maintain this Consent Order as a public record pursuant to N.C. Gen. Stat. §§132-1 and 90-340(f) and shall provide copies to the American Counseling Association and the National Board of Certified Counselors, and to other agencies or individuals as required by law.

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This the 21st day of March, 2024.

CONSENTED TO BY:

NORTH CAROLINA BOARD OF
LICENSED MENTAL HEALTH COUNSELORS

Signed by:  3/21/24
BY: _____ date
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Dr. Mark Schwarze, LCMHCS, NCC, LCAS, CCS
Board Chairperson

RESPONDENT:  3/21/2024

Laura Schmuldt, PhD, LCMHCA date

 3/21/24
Crystal Carlisle, Attorney for Respondent date