



NORTH CAROLINA BOARD
of **LICENSED CLINICAL**
MENTAL HEALTH
COUNSELORS

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October 13, 2022

VIA CERTIFIED MAIL

Dr. Laura Schmuldt, Ph.D., LCMHC-A
1437 Ft. Fisher Blvd S., Unit C3
Kure Beach, NC 28449

RE: North Carolina Board of Licensed Clinical Mental Health Counselors, Case No. 1888

Dear Dr. Schmuldt:

I am the Investigator for the North Carolina Board of Licensed Clinical Mental Health Counselors (the "Board"). On September 8, 2022, the Ethics Review Committee of the Board (the "Committee") reviewed the information pertinent to the above-referenced matter. The Committee has reached its conclusion and has instructed me to inform you of its findings.

The Committee found probable cause to believe that you have violated provisions of the North Carolina Licensed Clinical Mental Health Counselors Act and the American Counseling Association Code of Ethics (2014).

Specifically, the Committee alleges the following:

In the summer of 2019, you taught a class in a master's program to a student, C.P. You 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.

As part of the October 2020 ruling by a superior court in California, 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." You wrote two letters to the court, 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. According to the complainant, the superior court ruling required C.P.'s compliance to establish his visitation rights with his minor children.

In one of your letters submitted to the court, you documented that C.P. "has made significant progress in addressing his mental health needs and will continue to do so." In another letter, you 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."

However, during your interview with the Board's investigator, you denied ever providing counseling to C.P. You also denied having any counseling records of the said weekly sessions with C.P. Furthermore, you acknowledged that the letters used clinical language (i.e. diagnosis, sessions, and treatment) and that you used your credentials, signature, and counseling practice letterhead, all of which identified you as acting in the role of a counselor rather than a professor.

In addition, your behavior raised concerns regarding your misrepresentations to the public and the court system, as well as your role as a counselor educator.

If true, the above-referenced conduct 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 N.C. Gen. Stat. §§ 90-340 (a)(4), (a)(7), and (a)(9) of the North Carolina Licensed Clinical Mental Health Counselors Act.

The aforementioned allegations relate to your conduct as a Licensed Clinical Mental Health Counselor, and if proven, could provide cause for sanctions to be taken against your license. The information which the Board has received does not in itself provide sufficient evidence that these alleged acts have occurred. Consequently, the Board does not consider that any determination regarding possible sanctions against your license can be made without first providing you the opportunity to exercise your due process rights.

If you would prefer to resolve this matter through a Consent Order, please contact the Board's counsel, Alesia M. Balshakova, at abalshakova@ncdoj.gov. You may decline to do so and request a hearing before the Board regarding these allegations. You are entitled to request a hearing on these allegations by responding in writing within thirty (30) days of receipt of this letter and requesting a formal hearing. If the Board does not receive a written response requesting a hearing within thirty (30) days of receipt of this letter, the Board will hold a hearing whether you are present or not. In either case, you will receive Notice of Hearing no later than fifteen (15) days prior to the date of the hearing notifying you of the specific time, date, and location of the hearing. You are entitled, with or without requesting a formal hearing, to present any additional statements or materials you may wish.

The above proceeding is a quasi-judicial evidentiary hearing conducted by the Board pursuant to Chapter 150B of the General Statutes of North Carolina as required by G.S. § 90-340(e). You are entitled to present witnesses and introduce evidence on your own behalf and to cross-examine witnesses and examine evidence introduced on behalf of the Board. At the hearing, the Board will hear evidence regarding the charges set forth in this letter and will determine what, if any, disciplinary action should be taken against your license to practice counseling. You are entitled to be represented by an attorney of your choosing and at your expense, or you may represent yourself. The Board will be represented by counsel at such a hearing. Following the hearing, the Board will issue a final decision, pursuant to G.S. § 150B-42.

Should you have any questions about the procedure in such matters, or if you wish to discuss informal resolution of this matter, you may direct them to the Board's counsel, Alesia M. Balshakova at abalshakova@ncdoj.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick DeJesus", with a long horizontal flourish extending to the right.

Nick DeJesus | LCMHCS

Ethics Consultant & Board Investigator

NC Board of Licensed Clinical Mental Health Counselors

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Cc: Melonie Davis, Board Executive Director
Brandice Bell, Board Assistant Executive Director