

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
CLINICAL MENTAL HEALTH
COUNSELORS

IN THE MATTER OF:)
)
JAMIE CHEVERALLS, LCMHC)
)
Respondent.)
)
Case No. 1769)

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 December 10, 2021, pursuant to a charge letter issued by the Board on 3 April 2019 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 counselor¹ (“LCMHC”) and is subject to the Board’s jurisdiction pursuant to the North Carolina Licensed Clinical Mental Health Counselors Act, Chapter 90, Article 24, of the North Carolina General Statutes.
2. On or about September 12, 2018, as an LCMHC and owner of a counseling practice, Respondent opened a letter that was addressed to her colleague and associate counselor in her practice (Counselor X), while Counselor X was out on medical leave. The letter contained a subpoena requesting client’s records. Respondent did not have the specific authorization or consent from Counselor X or the client to open the letter. Furthermore, Respondent withheld the subpoena from Counselor X which interfered with the counselor’s ability to respond to the subpoena.
3. In addition, on or about September 24, 2018, Respondent suspended Counselor X’s email account without her knowledge or permission, which also prevented Counselor X from having immediate access and communication with Counselor X’s clients. Furthermore, Respondent decided to abruptly terminate and evict Counselor X from her practice while she was out on medical leave, which failed to respect the dignity and promote the welfare of clients.
4. Respondent admits that her conduct described in Paragraphs 2 and 3 above constitutes violations of Sections A.1.a., B.1.c., B.6.b., B.6.i., D.1.d., D.1.e., and D.1.i. of the American

¹ On 1 January 2020, the name “licensed professional counselor” was changed to “licensed clinical mental health counselor.” See Act of Nov. 6, 2019, 2019 N.C. Ch. 240, 2019 N.C. SB 537.

Counseling Association Code of Ethics (2014) and violations of N.C. Gen. Stat. §§ 90-340 (a)(7), (a)(9), and (a)(10), of the North Carolina Clinical Mental Health Counselors Act.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. This Consent Order shall constitute disciplinary action against the license of Respondent, pursuant to N.C. Gen. Stat. §90-340(a).

Based upon the record and the foregoing stipulations,

NOW, THEREFORE IT IS HEREBY ORDERED as follows:

I. Respondent shall complete a total of twelve (12) hours of continuing education coursework from a Board approved continuing education sponsor, as set forth in 21 NCAC 53.0603(c), in the following areas: six (6) hours in the area of professionalism and ethics; three (3) hours in the area of appropriate handling and response to a subpoena; and three (3) hours in the area of confidentiality. 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 21 NCAC 53.0603. All costs associated with this continuing education shall be borne by Respondent. Respondent shall complete this continuing education within one (1) year from the date the Board executes this Consent Order.

II. The failure of Respondent to abide by any provisions of this Consent Order shall result in further action by the Board, including seeking an injunction in Superior Court, in the discretion of the Board.

III. 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 10th day of December, 2021.

CONSENTED TO BY:

NORTH CAROLINA BOARD OF
LICENSED CLINICAL MENTAL HEALTH COUNSELORS

BY: Kyla M. Kurian 5 Jan 2022
Dr. Kyla M. Kurian, PHD, LCMHC date
Board Chairperson

Janie Cheveralls 1/3/2022
Janie Cheveralls, LCMHC date
Respondent

Vicki Goldstein 1/4/2022
Vicki Goldstein date
Attorney for Respondent