

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
PROFESSIONAL COUNSELORS

IN THE MATTER OF:)

PHYLLIS WRIGHT-WEST, LPC)
Respondent.)
No. 1603)

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 July 26, 2018, pursuant to a charge letter issued by the Board on February 28, 2018, 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. During the course of providing counseling services to "client X" and to the children of client X, during the period from August 2014 to February 2015, Respondent inappropriately conducted an evaluation with client X that Respondent titled a "psychological evaluation." Because Respondent is not trained and licensed as a psychologist, it is not appropriate for Respondent to describe an assessment in this manner. Respondent stated that she conducted this evaluation pursuant to a Court Order, however, the Court Order was not provided in her records, and she offered no explanation as to why it was missing. The evaluation conducted by Respondent was not completed in accordance with professional standards for performing such an assessment. Because Respondent was in a counseling relationship with client X and her family members, it was inappropriate for Respondent to conduct this assessment. Respondent explained that Judge Denning, Wake County District Court Judge, submitted a letter, dated January 24, 2018, which described the scope of work that Respondent was directed to perform, which was consistent with her qualifications as a LPC. Judge Denning also stated in his letter that Respondent was not called to testify during the trial.
3. In performing the assessment with client X, Respondent failed to utilize measures of sufficient reliability and validity, including using some measures designed solely for screening purposes and readily found by the public on the internet. Respondent did not submit copies of the profiles for some of the measures that were included in the assessment. During the course of the investigation into this matter, Respondent provided insufficient documentation to establish that Respondent was properly trained to conduct an assessment of this type. Respondent contends that it was not her intent to conduct a psychological evaluation, but to conduct an assessment consistent with Judge Denning's directives.

4. Respondent claims to possess a Doctor of Philosophy degree from Ashwood University. Ashwood University is not a regionally accredited university and appears to award degrees based upon the submission of payment without any course work requirements, and based upon life experience. Therefore, Respondent's claim to such a degree is inconsistent with requirements for obtaining this type of educational credential.

5. Respondent acknowledges that the Board could conclude that her conduct as set forth above in paragraph numbers 2-4 violates Sections B 6.a., C.2.a., C.4.d., E.2.c., E.6.a., E.9.b., E.9.c., E.13.a., and E.13.c. of the American Counseling Association Code of Ethics (2014); and N.C. Gen. Stat. §§ 90-340 (a)(5), (a)(9), (a)(12) and (a)(15) of the North Carolina Licensed Professional Counselors Act.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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 a Licensed Professional Counselor shall be placed on PROBATION for a period of at least two years or until she successfully completes the following, whichever takes longer to occur:

II. Respondent shall complete a three hour graduate level counseling course in professional orientation, law and ethics, as set forth in Rule .0701 (2)(c). This course work must be completed in person (not online) at a regionally accredited institute of higher education and may be completed in an independent study course. Upon successful completion of this coursework, Respondent shall submit a transcript from the institute establishing that the course work has been successfully complete, with a grade of "B" or above. All costs associated with this coursework shall be borne by Respondent. Respondent shall complete this coursework within one year of the execution of this Consent Order.

III. Respondent shall complete a three hour graduate level counseling course in assessment as set forth in Rule .0701 (2)(h). This course work must be completed in person (not online) at a regionally accredited institute of higher education and may be completed in an independent study course. Upon successful completion of this coursework, Respondent shall submit a transcript form the institute establishing that the course work has been successfully complete, with a grade of "B" or above. All costs associated with this coursework shall be borne by Respondent. Respondent shall complete this coursework within one year of the execution of this Consent Order.

IV. Respondent shall not conduct any assessments of any kind until she completes the above coursework, set forth in Roman Numeral III.

V. Subsequent to completion of the above set forth graduate level course work, Respondent shall be supervised for a period of one year by a Board approved supervisor for one hour of individual face to face supervision for every two weeks of counseling practice, regardless of the hours of practice. Respondent must file a supervision contract and the supervisor must be approved by the Board prior to the beginning of supervision. The supervision contract must be filed with the Board office no later than one month after completion of the above coursework.

VI. Respondent's supervisor shall submit quarterly supervision reports with the Board at the end of each quarter of supervision. At the conclusion of the one year of supervision, Respondent's Board approved supervisor shall submit a Final Supervision Report to the Board. Respondent must receive at least average ratings from her 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.

VII. Supervision shall focus on Respondent's counseling practice, including review of all testing and assessments she conducts and ensuring that she is practicing in an ethical manner.

VIII. Respondent shall cease all use of "Ph.D." and the use of the prefix "doctor" before her name in her provision of counseling services, and shall cease to describe her services in any manner as "psychological."

IX. Respondent shall cease to practice outside the scope of her licensure as an LPC.

X. Respondent shall provide this Consent Order to her Board approved supervisor.

XI. Upon successful completion of the conditions set forth in Roman Numeral II through VII, Respondent may make a written request that the Board release her from supervision, which the Board shall grant so long as all conditions have been successfully completed.

XII. 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.

XIII. 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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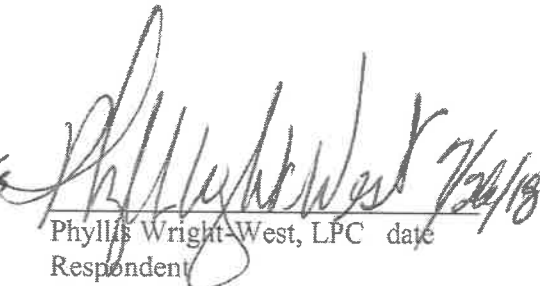
This the 26 day of July, 2018.

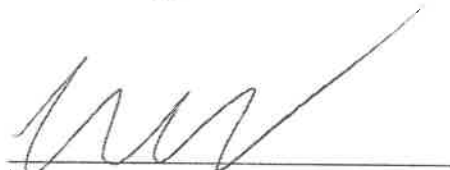
CONSENTED TO BY:

NORTH CAROLINA BOARD OF
LICENSED PROFESSIONAL COUNSELORS

BY:


Denauro Robinson, Ph.D., LPCS date
Board Vice Chairperson


Phyllis Wright West, LPC date
Respondent


Floyd B. McKissick Jr. date
McKissick & McKissick
Attorney for Respondent