

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA  
BOARD OF LICENSED  
PROFESSIONAL COUNSELORS

IN THE MATTER OF: )  
)  
JUANITA BROWN, LPCA )  
)  
Respondent. )  
)  
Case No. 1708 )

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 25-26 July 2019, pursuant to a charge letter issued by the Board on 11 October 2018 which is now pending, and other complaints filed with the Board as of 24 July 2019; 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 associate 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 period from on or about 9 June 2017 to on or about 21 August 2017, Respondent provided counseling services on an Assertive Community Treatment team as an LPCA, at a mental health services agency in North Carolina.
3. On or about 11 August 2017, Respondent failed to maintain appropriate boundaries with her client. Specifically, contrary to the instruction by Respondent's employment supervisor, Respondent sent her client to a shelter that was outside the agency's jurisdiction, which caused the discontinuation of all of the agency's services to this client. Respondent also arranged and paid for the approximately \$80 cab fare for the client to travel to the shelter.
4. In August 2017, Respondent failed to maintain appropriate and accurate documentation by failing to complete her clinical records and paperwork prior to the end of her 10-day resignation notice to the agency. Respondent also failed to enter treatment plans and final session visits with her clients into the electronic medical records (EMR) computer software of the agency. In addition, Respondent recorded two individual sessions with her clients without evidence of the consent or permission by her clients.
5. Following her resignation from the agency, Respondent engaged in a non-counseling

relationship with her former two patients. Specifically, Respondent took her former male client shopping and out to eat on at least three (3) occasions. She also drove over 50 miles to pick up a former female client for a dentist appointment and paid for the dental services provided to the client.

6. Respondent specifically contends that she attempted in good faith to complete and enter all necessary records and paperwork prior to the end of her resignation period and that she did not pay for any dental treatment for a client. Respondent further contends that she did not arrange transportation for a client to an available shelter but did pay the necessary cab fare upon request of the client to insure that client's safe arrival at the shelter. In all of the actions involving a client as alleged herein, Respondent contends that she acted to insure the safety or well-being of the client and in accordance with Respondent's understanding of the requirements of the American Counseling Association Code of Ethics.

7. The Board contends that Respondent's conduct as set forth above in paragraphs number 2 through 5 violates Sections A.1.a., A.1.b., A.1.c., A.4.a., A.6.b., A.6.c., A.6.e., B.6.a., B.6.c., D.1.c., and D.1.d., of the American Counseling Association Code of Ethics (2014) and violations of N.C. Gen. Stat. §§ 90-340 (a)(9), (a)(10), and (a)(13) of the North Carolina Licensed Professional Counselors Act. Respondent neither admits nor denies that her conduct represents violations of these sections of the American Counseling Association Code of Ethics (2014) and the North Carolina Licensed Professional Counselors Act.

8. 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.

9. 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.

10. 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.

11. 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.

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. Respondent shall RELINQUISH her license on or before 12 August 2019 and shall not seek to reinstate her license at any time in the future.
- II. Should Respondent apply for re-licensure in the future, the Board shall have access to its entire investigative file in this matter in review of her application.
- III. No later than <sup>12/2019</sup> August 2019, 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 falls under the prohibitions set forth in N.C. Gen. Stat. § 90-331.
- IV. No later than 12 August 2019, Respondent shall turn in her license to practice counseling in North Carolina to the Board. In the event Respondent is unable to find her license to practice counseling in North Carolina, she shall submit an Affidavit to the Board stating that despite her diligent search, she was unable to locate her original license and that in the event she finds it in the future, she will promptly turn it to the Board. Respondent shall mail her license or an Affidavit to: North Carolina Board of Licensed Professional Counselors, Post Office Box 77819, Greensboro, North Carolina 27417.
- V. 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.
- VI. 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 25<sup>th</sup> day of July, 2019.

CONSENTED TO BY:

NORTH CAROLINA BOARD OF  
LICENSED PROFESSIONAL COUNSELORS

BY:

*Denauro Robinson* 7/25/19  
Denauro Robinson, Ed. D., LPCS      date  
Board Chairperson

*Juanita Brown* 7-25-19  
Juanita Brown, LPCA      date  
Respondent

*John C. Hunter* 7/25/19  
John C. Hunter      date  
Attorney at Law  
Attorney for Respondent