

BEFORE THE  
NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS

In Re:

RICHARD COWLES	)	
RESPONDENT	)	DECISION
	)	
	)	
	)	

The North Carolina Board of Licensed Professional counselors (“Board”) heard this case originally on September 11, 2009, and at that meeting found cause to believe that Respondent violated N.C.G.S. 90-340(8) in that he submitted improper documentation to the North Carolina Division of Medical Assistance for purposes of obtaining reimbursement for services. The Board instructed its attorney to write a charge letter to Respondent offering a resolution by consent that would have placed Respondent on probation for a period of 12 months and would require him to practice under supervision during that time. In that letter, Respondent was instructed to reply within 15 days. He has not done so. To date, the Board nor its attorney has received any further correspondence from Respondent. The matter came on for disposition at the Boards’ quarterly meeting on June 11, 2010. The Board met in public session, in accordance with Article3A, Chapter 150B, North Carolina General Statutes. The Board deliberated in executive session, during which deliberations it made the following Findings of Fact and Conclusions of Law:

**Findings of Fact**

1. Respondent Richard Cowles, LPC, was the subject of a complaint in which it was alleged that he violated several provisions of the ACA Code of Ethics. Respondent acknowledged that he submitted incorrect documentation for billing a third party payor, the North Carolina Division of Medical Assistance. Based upon his admissions, the Board found probable cause to believe

the respondent had violated provisions of the Code of Ethics for Licensed Professional Counselors.

2. The Board indicated its desire to the Respondent to resolve the complaint against Respondent by entering into a consent order by letter dated December 9, 2009. Under the terms of that proposed agreement, Respondent would be placed on probation and work under supervision of a Board Approved Supervisor for a period of 12 months and obtain (6) hours of continuing education in billing, documents and client records during this period.

3. The December 9, 2009 letter gave Respondent 15 days to respond to the offer of a consent order or to request a hearing. He did not contact the Board in any way. The Board tabled the case in the hopes of hearing from the Respondent. The matter came on for disposition at the June 11, 2010 Board meeting. As Respondent failed to cooperate with the Board, in addition to his other ethical violation, the Board voted to revoke Respondent's license.

#### CONSLCUSION OF LAW:

1. The Board has jurisdiction over this matter.

2. Respondent violated the provision of the Licensed Professional Counselors Practice Act, specifically N.C. G. S. §90-340(8).

3. Respondent did not respond to the letter from the Board's attorney and has not contacted the Board at all in reference to a resolution of this complaint since his initial response dated August 3, 2009.

4. The Board has cause to revoke the Respondent's license.

#### IT IS THEREFORE ORDERED AND DECREED:

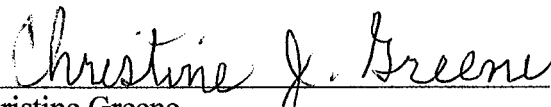
1. Respondent's license to practice counseling is revoked upon receipt of this order pending further orders of the Board.

2. The Board retains jurisdiction over this matter for further orders.

**APPEAL**

Pursuant to G.S. § 150B-45, any party wishing to appeal the Board's decision may commence such an appeal by filing a Petition for Judicial Review in the Superior Court of Wake county or in the Superior Court of the county in which the party resides. The party seeking review must file the petition within 30 days after being served with a written copy of the Board's Final Decision. Pursuant to G.S. § 150B-47, the Board is required to file the official record in the contested case within 30 days of receipt of the Petition for Judicial Review. Consequently, a copy of the Petition must be sent to the Board at the time the appeal is initiated in order to insure timely filing of the record.

This the 6<sup>th</sup> day of October, 2010.

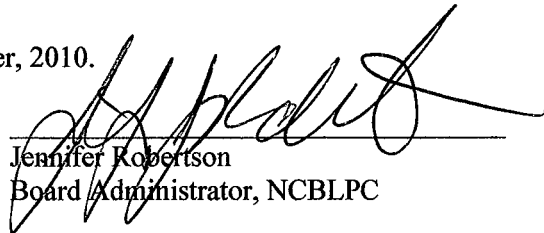
  
Christine Greene  
Chairperson, NCBLPC

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Decision has been served upon the Respondent by certified mail, return receipt requested, by depositing the copy in an official depository of the United States Postal Service in first-class, postage pre-paid envelope addressed as follows:

Mr. Richard Cowles  
304-B Columbia Avenue  
Carolina Beach, NC 28428

This the 11 day of October, 2010.

  
Jennifer Robertson  
Board Administrator, NCBLPC