

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
PROFESSIONAL COUNSELORS

IN THE MATTER OF:)
)
WAYNE D. WILSON,)
Respondent.)
)
Case Number 1602)

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 October 13-14, 2016, pursuant to a Charge Letter issued by the Ethics Review Committee of the Board on August 9, 2016; 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. The Board finds the following:

a. On or about February 1, 2010, Respondent began providing couples counseling services to client X and her husband. Respondent was the Executive Director of the Agency where Respondent provided these counseling services. Respondent began to provide client X with individual counseling services beginning on or about January 14, 2011. Respondent met with client X in individual counseling sessions until on or about August 9, 2012. Subsequent to terminating counseling services with Respondent, client X sought and received counseling services from another counselor in Respondent’s agency, who could do EMDR (Eye Movement Desensitization and Reprocessing). Respondent’s last therapy session with the other counselor occurred on May 5, 2013, and a termination summary for services provided by the other counselor was co-signed by Respondent as agency director on January 2, 2014. Client X sought out EMDR due to trauma as a result of having been molested as a child and later raped.

b. In addition, subsequent to terminating counseling services with Respondent, client X served as a volunteer with Respondent’s counseling agency beginning in 2013. Subsequent to her volunteer role, client X served on the Board of Respondent’s counseling agency until 2015.

c. In 2012, Respondent began a personal relationship with client X. On or about September 2014, Respondent entered into a sexually intimate relationship with client X. The intimate relationship has subsequently ended and Respondent last corresponded with client X in March 2016.

d. Respondent explained that during the time period in which he engaged in an intimate relationship with client X, he was depressed and vulnerable as a result of personal issues in his life.

3. The Board finds that the conduct described in Paragraphs 2a through 2d above, constitutes violations of Sections A 4.a., A 5.c., and A 6.e. of the American Counseling Association Code of Ethics (2014); and Sections A 4.a., and A 5.c. of the American Counseling Association Code of Ethics (2005), and violations of N.C. Gen. Stat. §' 90-340 (a)(7) and(a)(9) of the Licensed Professional Counselors Act.

4. 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.

5. 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.

6. 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.

7. While Respondent does not stipulate to the above findings, 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. Respondent does not concede or admit that this Consent Order can be used as evidence in any other proceeding.

8. 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 and findings,

NOW, THEREFORE IT IS HEREBY ORDERED as follows:

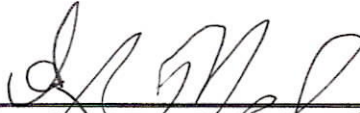
- I. The license of the undersigned Respondent is hereby REVOKED.
- II. Respondent shall cease to engage in any activities that meet the definition of the practice of counseling under N.C. Gen. Stat. ' 90-330(a)(3) or fall under the prohibitions set forth in N.C. Gen. Stat. § 90-331.
- III. Respondent shall turn in his license to practice counseling in North Carolina to the Board no later than October 23, 2016. He shall mail his license to: North Carolina Board of Licensed Professional Counselors, Post Office Box 77819, Greensboro, North Carolina 27417.
- IV. Should Respondent apply to this Board for licensure at any time in the future, the Board shall have access to its entire investigative file for purposes of considering such application.
- 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.

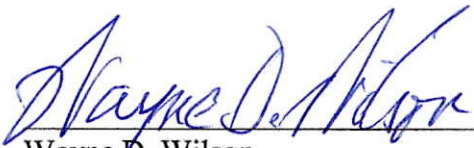
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This the 14th day of October, 2016.

CONSENTED TO BY:

NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS

BY:  10/14/2016
Angela McDonald, Ph.D., LPCS date
Board Chairperson

BY:  10/2/16
Wayne D. Wilson date
Respondent

 10/11/16
Stuart H. Russell date
Wilson & Helms LLP
Attorney for Respondent