

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
PROFESSIONAL COUNSELORS

IN THE MATTER OF:)
)
JARROD L. GRAY, LPC)
Respondent.)

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 December 7, 2012, pursuant to a charge letter issued by the Board on September 25, 2012, 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. Respondent engaged in an inappropriate sexually intimate relationship with a former client’s spouse.
3. Respondent admits that his conduct violates Sections A4a, A5a, and A5b of the American Counseling Association Code of Ethics and N.C. Gen. Stat. ‘ 90-340(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. 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.

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,

NOW, THEREFORE IT IS HEREBY ORDERED as follows:

I. The license of the Respondent, Jarrod L. Gray, is hereby SUSPENDED for six months, from December 17, 2012 until June 17, 2013.

II. No later than December 17, 2012, Respondent shall terminate services to all of his patients/clients and make provisions for the appropriate transition of his patients/clients to another therapist, as appropriate. Respondent shall also cease to engage in any other activities that meet the definition of the practice of counseling in N.C. Gen. Stat. ' 90-330(a)(3), including the supervision of any other professionals that are engaged in activities that meet the definition of the practice of counseling. Respondent acknowledges that he has terminated and transferred all of his patients/clients as of the date of signing this Consent Order and attests that he is no longer engaged in the practice of counseling in any way.

III. During the suspension of Respondent's license he shall undergo a fitness for practice evaluation by a Board approved evaluator. Once the evaluation is complete, the Board, within its discretion, based upon the evaluation report, will determine whether to place additional conditions on Respondent's license during the Probationary period set forth in Roman Numeral V.

IV. During the suspension of Respondent's license, Respondent shall complete 6 hours of continuing education in the area of ethics. Respondent shall not begin this coursework until it is approved by the Board. Upon successful completion of this continuing education coursework, Respondent shall submit a certification 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 Board rule. All costs associated with this continuing education shall be borne by Respondent.

V. Once the suspension is lifted, Respondent may resume the practice of counseling, and his license shall be on PROBATION for a two year period during which he shall successfully complete the following:

A. For a period of two years, Respondent shall be supervised by a Board approved supervisor, with whom he has no pre-existing relationship, for one hour of individual face to face supervision for 40 hours of counseling practice, with no less than one supervision session per month. Respondent must file a supervision contract and the supervisor must be approved by the Board prior to the beginning of supervision. At the conclusion of the two years of supervision, Respondent's Board approved supervisor shall submit a Final Supervision Report to the Board. Respondent must receive at least average ratings from his supervisor in all of the supervision reports in order to be released from the supervision. At the conclusion of the two years of supervision, so long as Respondent's ratings are average or above on all supervision reports, the Board Chair shall provide him with written approval of his release from supervision. Any costs and associated expenses of this supervision shall be borne by the Respondent.

B. The Board may require additional conditions, within its discretion, based upon the fitness for practice evaluation.

VI. Upon successfully completion of the conditions of probation set forth in Roman Numeral V A and B, Respondent shall be released from probation by the Board.

VII. 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.

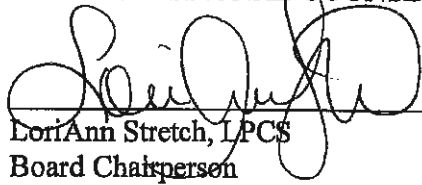
VIII. The Board shall maintain this Consent Order as a public record pursuant to N.C. Gen. Stat. §§132-1 and 90-340(f) and shall provide copies to the American Counseling Association and the National Board of Certified Counselors, and to other agencies or individuals as required by law.

This the 7th day of December, 2012.

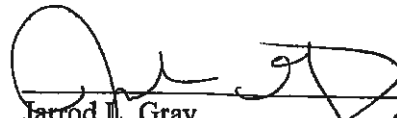
CONSENTED TO BY:

NORTH CAROLINA BOARD OF
LICENSED PROFESSIONAL COUNSELORS

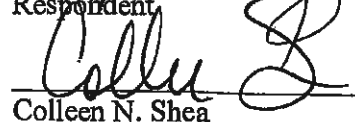
BY:


LoriAnn Stretch, LPCS
Board Chairperson

date


Jarrod L. Gray
Respondent

11/7/12
date


Colleen N. Shea
Cranfill Sumner & Hartzog, L.L.P.
Attorney for Respondent

11/7/12
date


CERTIFICATE OF SERVICE

I, Sondra C. Panico, Assistant Attorney General, hereby certify that I have this date delivered a copy of the foregoing CONSENT ORDER upon the following by first class mail on this day, addressed as follows:

Jarrold L. Gray
1001 Balfoure Drive
Wilmington, NC 28412

Colleen Shea
Cranfill Sumner & Hartzog LLP
319 N. 3rd Street Suite 300
Wilmington, NC 28401

This the 10th day of December, 2012.



Sondra C. Panico
Assistant Attorney General



State of North Carolina

Roy Cooper
ATTORNEY GENERAL

Department of Justice
P.O. BOX 629
RALEIGH
27602-0629

REPLY TO:
Service to State Agencies
Sondra C. Panico
(919) 716-6792
FAX: 716-6755

May 28, 2013

Jarrod L. Gray
1001 Balfoure Drive
Wilmington, NC 28412

RE: North Carolina Board of Licensed Professional Counselors Case number 1391

Dear Mr. Gray:

The Ethics Review Committee of the Board reviewed Dr. Davis' fitness for practice evaluation, and as a result of her recommendations adds the follow condition to the supervision that is required while you are under probation:

In addition to all other conditions in the Consent Order regarding probation, the supervisor shall on an ongoing basis discuss transference and counter-transference issues with you as they relate to future clients and their families.

As a result, in order for a supervisor to be approved by the Board, the person must submit documentation that he/she is skilled in addressing transference and counter transference issues with a supervisee, in addition to all other documentation required by the Board to approve a supervisor.

Should you have any questions about this matter, you may contact me at (919) 716-6792.

Sincerely,

A handwritten signature in cursive script that reads "Sondra C. Panico".

Sondra C. Panico
Assistant Attorney General

cc: Bonnie Strickland,
NCBLPC Deputy Administrator