

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED PROFESSIONAL
COUNSELORS

IN THE MATTER OF:)
)
CHARLOTTE E. GARNES, LPC,)
Respondent.)

FINAL DECISION

The North Carolina Board of Licensed Professional Counselors ("Board") heard this cause on December 6, 2013. A charge letter was served on Respondent on August 29, 2013, notifying her that if she did not request a hearing, then the Board would decide the matter at its meeting on December 6, 2013. Respondent did not request a hearing.

At the Board meeting on December 6, 2013, the Board issued its Final Decision.

FINDINGS OF FACT

The Board finds, by a preponderance of the evidence, that the following facts are true and relevant:

1. At all relevant times the Respondent was a professional counselor licensed by the Board.
2. Respondent has been convicted of federal health care fraud conspiracy, obstruction of official proceedings and false statements relating to health care matters for defrauding Medicaid of \$650,000.
3. Respondent received a term of 60 month imprisonment and two years of court supervision. She is currently imprisoned at Marianna Federal Correctional Institute in Marianna, Florida, with a projected release date of October 24, 2017

CONCLUSIONS OF LAW

- I. The Board has jurisdiction of the subject matter of this contested case and over the Respondent.
- II. The Respondent's conduct violates N.C. Gen. Stat. § 90-340(a)(2) of the Licensed Professional Counselors Act, which alone warrants the disciplinary action taken by the Board.
- III. The Respondent's conduct violates N.C. Gen. Stat. § 90-340(a)(4), of the Licensed Professional Counselors Act, which alone warrants the disciplinary action taken by the Board.

IV. The Respondent's conduct violates N.C. Gen. Stat. § 90-340(a)(9), of the Licensed Professional Counselors Act, which alone warrants the disciplinary action taken by the Board.

V. The Respondent's conduct violates Section A. 1.b of the American Counseling Association's Code of Ethics, which alone warrants the disciplinary action taken by the Board.

VI. The Respondent's conduct violates Section C 6.B. of the American Counseling Association's Code of Ethics, which alone warrants the disciplinary action taken by the Board.

NOW, THEREFORE, the NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS ORDERS:


I. The license of the Respondent, Charlotte E. Garnes, is hereby REVOKED.

II. Respondent shall turn in her license to practice counseling in North Carolina to the Board no later than thirty days after she receives a copy of this Order. She shall mail her license to: North Carolina Board of Licensed Professional Counselors, Post Office Box 1369, Garner, North Carolina 27529-1369.

III. The Board shall maintain this Final Decision 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 5 day of December, 2013

NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS

BY: 
DENAUVO ROBINSON, PH.D., LPC
BOARD CHAIRPERSON

APPEAL

Pursuant to N.C. Gen. Stat. § 150B-45, any party wishing to appeal this Final Decision may commence their 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 this Final Decision.


CERTIFICATE OF SERVICE

I, Sondra C. Panico, Assistant Attorney General, do hereby certify that I have this day served a copy of the foregoing **ORDER** upon the following by depositing a copy of same in the United States mail, postage prepaid addressed as follows:

Charlotte E. Garnes
2301 Powatan Court
Charlotte, NC 28269

Charlotte E. Garnes ID # 56606-056
FCI Marianna
Satellite Camp
PO Box 7006
Marianna, FL 32447

This the 10 th day of December, 2013.



Sondra C. Panico
Assistant Attorney General