

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
PROFESSIONAL COUNSELORS

IN THE MATTER OF:)
)
BRIAN PURNELL, 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 2, 2011, pursuant to a charge letter issued by the Board on October 13, 2011, 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 admits the following:
 - a. Respondent submitted a Verification of Professional Counseling Experience Form that contained alleged falsified information and an alleged falsified signature, which was part of his application for licensure as a Licensed Professional Counselor Supervisor.
 - b. Respondent admits that the conduct as alleged in Paragraph 2a above would violate C.4.a. of the American Counseling Association Code of Ethics and N.C. Gen. Stat. § 90-340(a)(5) & (a)(9) of the North Carolina Licensed Professional Counselors Act.
3. 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.
4. 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.
5. 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.

6. 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.

7. Respondent agrees that his license may be suspended or revoked, in the Board's discretion, if the Board determines by the preponderance of the evidence, after an opportunity for a hearing, that Respondent has violated any of the terms of this Consent Order.

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 undersigned Respondent is hereby REPRIMANDED.
- II. Respondent's license is placed under the following conditions:
 - A. Respondent shall not supervise any Licensed Professional Counselors, Licensed Professional Counselor Associates or any other mental health professionals, as defined in 21 NCAC 53 .0213, for a period of six month from the date of the execution of this Consent Order. He shall cease his supervision of any of his current supervisees and submit a final supervision report for each of them to the Board within 10 days of execution of this Consent Order.
 - B. For a period of six months, Respondent shall be supervised by a Board approved supervisor for one hour of individual supervision for 40 hours of counseling practice. The Supervisor must be approved by the Board prior to the beginning of supervision. At the conclusion of the six months 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 order to be released from the supervision. At the conclusion of the six months of supervision, so long as Respondent's ratings are average or above, 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.
 - C. During the six month time period set forth in Paragraph II.A., Respondent shall submit a new application for licensure as a Licensed Professional Counselor Supervisor, including accurate and truthful documentation.

D. Respondent shall obtain three (3) continuing education hours in the area of professional orientation. These 3 hours are in addition to the hours of continuing education required for renewal of licensure, and must be completed within 6 months of the date the execution of this consent order.

III. 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.


IV. The Board will maintain this Order as a public record pursuant to N.C. Gen. Stat. § 90-340 (f).


This the 23 day of November, 2011.

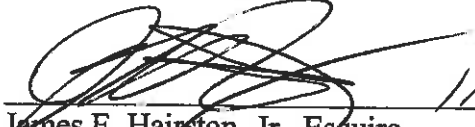
CONSENTED TO BY:

NORTH CAROLINA BOARD OF
LICENSED PROFESSIONAL COUNSELORS

BY:

 12-2-11
LoriAnn Stretch, LPC date
Board Chairperson

 11/23/11
Brian Purnell, LPC date
Respondent

 11/23/11
James E. Hairston, Jr., Esquire date
Attorney for Respondent