

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
PROFESSIONAL COUNSELORS

IN THE MATTER OF:)
)
JESSICA PENA, LPCA)
Respondent.)
)
Case No. 1434)

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 May 29, 2014, pursuant to a charge letter issued by the Board on September 17, 2013, 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 associate 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 submitted supervision documents to the NC Board of Licensed Professional Counselors which raised issues as to whether they were legitimate documents and whether she accumulated the supervised hours that were reported to the Board in the submitted documentation. This documentation was regarding the supervision hours Respondent reported from Texas from January through December 2012.
3. The Board and Respondent agree there has been no admission of wrongdoing by Respondent and that all parties 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. 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. Respondent agrees to RELINQUISH her license to practice counseling as a Licensed Professional Counselor Associate (LPCA) in North Carolina and the Board accepts her relinquishment. Respondent shall turn in her license as an LPCA no later than two weeks after she receives a signed copy of this Order.

II. Respondent agrees not to practice counseling in North Carolina without a license or apply for licensure with this Board to practice counseling at any time in the future in North Carolina.

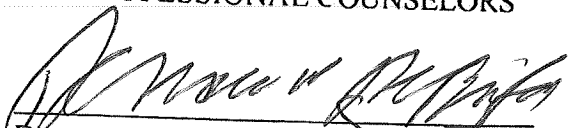
III. The failure of Respondent to abide by any provisions of this Consent Order, if proven true by a preponderance of the evidence following notice and an opportunity for hearing, shall result in the suspension, revocation, or other disciplinary action against Respondent's license, in the discretion of the Board.

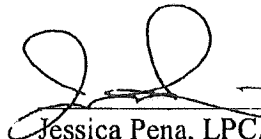
IV. The Board shall maintain this Consent Order as a public record pursuant to N.C. Gen. Stat. §§132-1 and 90-340(f) and shall provide copies to the American Counseling Association and the National Board of Certified Counselors, and to other agencies or individuals, including the National Practitioner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


This the 20 day of May, 2014.

CONSENTED TO BY:

NORTH CAROLINA BOARD OF
LICENSED PROFESSIONAL COUNSELORS

BY: 
Denauvo Robinson, Ph.D., LPC date
Board Chairperson

 - 5/20/14
Jessica Pena, LPCA date
Respondent

 5/21/14
Reed Fountain date
Young Moore Henderson
Attorney for Respondent