

IN THE MATTER OF:)
)
CORINNE MARON BROWN,)
Petitioner.)
)

FINAL DECISION

The North Carolina Board of Licensed Professional Counselors ("Board") heard this cause on October 13, 2016. A Notice of Hearing was served on Petitioner on September 20, 2016, notifying her that the hearing would take place on October 13, 2016, at 4:30 pm or as soon thereafter as possible at the Wingate by Wyndham Garner located at 1542 Mechanical Blvd, Garner, North Carolina. Petitioner was present at the hearing and represented by Amos Tyndall, of Chapel Hill, NC. Sondra C. Panico, Assistant Attorney General, appeared on behalf of the Board.

At the hearing of this matter, the Board heard testimony from Petitioner and accepted exhibits into evidence in a public session. After hearing the closing arguments, the Board retired into an executive session to deliberate, during which deliberations it made the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

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

1. Petitioner applied for licensure with the Board as a Licensed Professional Counselor (LPC) on or about July 30, 2015. (Board Exhibit Number 6).
2. On September 25, 2015, Petitioner informed the Board that on July 17, 2015, she had been charged with driving while impaired. (Board Exhibit Number 8).
3. Petitioner provided documentation to the Board that on December 15, 2015, she pled guilty to impaired driving and was placed on unsupervised probation for 12 months. She was also required to complete 24 hours of community service and was granted a limited driving privilege. (T p 25; Board Exhibit Number 8).
4. As a result of the conviction for driving while impaired, on April 19, 2016, the Board requested that in order for Petitioner to continue in the application process that she undergo a substance abuse assessment. The Board informed her to contact Scott Hinkle, Ph.D., to conduct the assessment. (Board Exhibit Number 5).

5. On May 20, 2016, Petitioner submitted a letter asking the Board to allow Carlyn Daubs to conduct the substance abuse assessment, instead of Dr. Hinkle. (Board Exhibit Number 4).
6. At the Board meeting on July 21, 2016, the Board reviewed Petitioner's request that Carlyn Daubs conduct the substance abuse assessment. Upon review of Dr. Daubs' credentials, the Board learned that she was employed and provided mental health services at the same agency where Petitioner was employed. The Board denied Petitioner's request that Dr. Daubs conduct the assessment, due to the inherent conflict in Dr. Daubs working at the same agency with Petitioner. (Board Exhibit Number 2).
7. In addition, upon further review of the website where Petitioner was employed, the Board learned that Petitioner had been engaged in the practice of counseling in North Carolina without being licensed in North Carolina. (Board Exhibit Number 2).
8. On August 8, 2016, Petitioner was sent a letter proposing to deny her application for licensure based upon her driving while impaired conviction and her practice without a license. (Board Exhibit Number 2).
9. Petitioner had been previously licensed by the Board as an LPC on January 5, 2009. (T p 16; Board Exhibit Number 11).
10. Petitioner then left the State to work at a private school in New York (T pp 15-16).
11. On July 1, 2010, Petitioner was sent a letter informing her that her license as an LPC had expired. She was directed to cease and desist the practice of counseling upon receipt of the letter. (T p 32; Board Exhibit Number 11).
12. In August 2014, Petitioner returned to North Carolina and began working at Red Oak Recovery in North Carolina (T pp 18, 32). Petitioner worked at Red Oak Recovery counseling women who had been dually diagnosed with substance abuse and mental health diagnoses. (T p 26).
13. Petitioner explained that she called the Board to find out about becoming licensed and learned that because her license had lapsed for so many years that she would need to submit a new application for licensure. (T p 20).
14. Petitioner had been practicing counseling in North Carolina for almost one year before applying for licensure. (T p 33).
15. After receipt of the letter dated August 8, 2016, which denied Petitioner's request that Dr. Daubs conduct the substance abuse assessment, she completed the substance abuse assessment with Scott Hinkle. (T p 27).

16. After receipt of the letter dated August 8, 2016, Petitioner was terminated from employment at Red Oak Recovery. (T p 28).

17. The Board finds that Petitioner was practicing counseling without a license for approximately two years from August 2014 through August, 2016.

CONCLUSIONS OF LAW

I. The Board has jurisdiction of the subject matter of this contested case and over the Petitioner.

II. Pursuant to N.C. Gen. Stat. § 90-340(a), the Board may deny, suspend, or revoke licensure, discipline, place on probation, limit practice, or require examination, remediation, or rehabilitation of any person licensed under this Article one or more of the following grounds:

(7) Has violated any provision of this Article or any rules adopted by the Board.

III. Petitioner's conduct violates N.C. Gen. Stat. § 90-340(a)(7), which alone warrants the action taken by the Board in this matter.

IV. Petitioner's conduct violates N.C. Gen. Stat. § 90-331, which states that it shall be unlawful for any person who is not licensed under this Article to engage in the practice of counseling, which alone warrants the action taken by the Board in this matter.

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

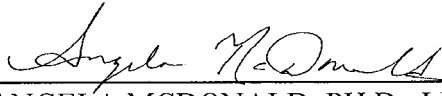
I. Petitioner's application is DENIED.

II. 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 16th day of December, 2016.

NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS

BY:



ANGELA MCDONALD, PH.D., LPCS
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 the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, in the county where the contested case which resulted in the final decision was filed. 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, Katrina Brent, Administrator of the North Carolina Board of Licensed Professional Counselors, do hereby certify that I have this day served a copy of the foregoing FINAL DECISION upon the following by depositing a copy of same in the United States mail, certified mail, return receipt requested:

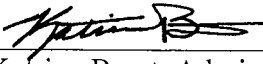
Corrine Maron Brown
9 Pauline Place
East Northport, New York 11731

I do further certify that I have this day served a copy of the foregoing upon the following by depositing a copy of same in the United States mail, first class, postage prepaid:

Amos Tyndall
The Europa Center
100 Europa Drive, Suite 401
Chapel Hill, NC 27517

Sondra Panico
DOJ State Agency Services Section
Post Office Box 629
Raleigh, North Carolina 27602-0629

This the 22nd day of December, 2016.



Katrina Brent, Administrator
North Carolina Board of Licensed
Professional Counselors

