

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
PROFESSIONAL COUNSELORS

IN THE MATTER OF:)
)
MICHAEL REYNOLDS,)
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 January 13, 2015, pursuant to a Charge Letter issued by the Ethics Review Committee of the Board on September 22, 2014; 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. The Board finds the following:

a. Respondent provided counseling services to client X beginning on November 18, 2010, until on or about January, 2014. During client X’s counseling relationship with Respondent she was referred to a psychiatrist who diagnosed her with dissociative identity disorder. Respondent also diagnosed client X with dissociative identity disorder. Respondent met with client X for counseling sessions at various times ranging from twice per week, to once a week to every other week, depending on her needs for services.

b. In December 2011, during Respondent’s counseling relationship with client X, Respondent visited her at her home. Respondent contends he visited client’s home at her request to meet her parents who were visiting from out of state. Respondent and client X also texted each other on a frequent basis through Respondent’s counseling relationship with her.

c. In January 2012, while client X was Respondent’s counseling client, Respondent and client X began an inappropriate sexually intimate relationship according to client X, which Respondent does not admit.

d. In addition, through the investigation of this matter, it was found that Respondent has three criminal convictions that Respondent never reported to the Board on any of Respondent’s applications for licensure or renewal. Specifically, Respondent was convicted of driving while

impaired in 2010; unauthorized use of a motor vehicle in 1969; and breaking entering and grand larceny in 1974.

3. The Board finds that the conduct described in Paragraphs 2a through 2d above, constitutes violations of Section A 5 a. of the American Counseling Association Code of Ethics (2005); and violations of N.C. Gen. Stat. §§ 90-340(a)(1), (3), (9) & (13) 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. While Respondent does not stipulate or agree to the above findings, 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. Respondent does not concede or admit that this Consent Order can be used as evidence in any other proceeding.

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 and findings,

NOW, THEREFORE IT IS HEREBY ORDERED as follows:

I. The license of the undersigned Respondent is hereby REVOKED.

II. Respondent shall cease to engage in any activities that meet the definition of the practice of counseling under N.C. Gen. Stat. § 90-330(a)(3) or fall under the prohibitions set forth in N.C. Gen. Stat. § 90-331.

III. Respondent shall turn in his license to practice counseling in North Carolina to the Board no later than February 2, 2015. He shall mail his license to: North Carolina Board of Licensed Professional Counselors, Post Office Box 77819, Greensboro, North Carolina 27417.

IV. Respondent may submit a new application for licensure to the Board after September 29, 2015.

V. Should Respondent apply to this Board for licensure at any time in the future, the Board shall have access to its entire investigative file for purposes of considering such application.

VI. 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.

VII. 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.

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This the 14th day of January, 2015.

CONSENTED TO BY:

NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS

BY: Katherine H. Glenn, PhD, LPCS 01/14/2015
KATHERINE H. GLENN, PH.D., LPCS date
BOARD CHAIRPERSON

BY: Michael Reynolds, Ph.D. Jan. 13, 2015
MICHAEL REYNOLDS, PH.D. date
Respondent

Shannon Warf Wilson 01-13-15
Shannon Warf Wilson date
Davis & Hamrick, LLP
Attorney for Respondent