

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
PROFESSIONAL COUNSELORS

IN THE MATTER OF:)

JAYNE I. LESSARD, 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 7, 2012, pursuant to a charge letter issued by the Board on September 25, 2012, 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 provided professional counseling services to patient X from on or about October 2, 2002, until on or about June 9, 2003. Subsequent to providing patient X with counseling services Respondent entered into a relationship with patient X, which became increasingly more dependent, and included patient X moving into Respondent's home and having access to Respondent's patient names and treatment information. Respondent also allowed patient X to become involved in her daughter's life as a "big sister," and they eventually became friends. On or about August 2006, Respondent's relationship with patient X became sexually intimate. This sexually intimate relationship continued until on or about 2010.
3. Respondent did not provide informed consent to treatment with patient X. She did not properly maintain patient X's patient records after treatment was terminated.
4. Respondent admits that her conduct violates Sections A2a, A5b, A5d, B 1c, B 6a, B 6g, and C 6d of the American Counseling Association Code of Ethics and N.C. Gen. Stat. § 90-340 (a)(9) of the Licensed Professional Counselors Act.
5. 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.
6. 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.

7. 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.

8. 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.

9. 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 Respondent, Jayne Lessard, is hereby SUSPENDED for six months. She shall be credited with four months of suspension and shall serve two additional months upon execution of this Consent Order, until February 7, 2013.

II. During the suspension of Respondent's license she shall undergo a fitness for practice evaluation by a Board approved evaluator. Once the evaluation is complete, the Board, within its discretion, based upon the evaluation report, will determine whether to place additional conditions on Respondent's license during the Probationary period set forth in Roman Numeral III.

III. Once the suspension is lifted, Respondent may resume the practice of counseling, and her license shall be on PROBATION for a two year period during which she shall successfully complete the following:

A. For a period of two years, Respondent shall be supervised by a Board approved supervisor, with whom she has no pre-existing relationship, for one hour of individual face to face supervision for 40 hours of counseling practice, with no less than one supervision session per month. Respondent must file a supervision contract and the supervisor must be approved by the Board prior to the beginning of supervision. At the conclusion of the two years of supervision, Respondent's Board approved supervisor shall submit a Final Supervision Report to the Board. Respondent must receive at least average ratings from her supervisor in all of the supervision reports in order to be released from the supervision. At the conclusion of the two years of supervision, so long as Respondent's ratings are average or above on all

Report to the Board. Respondent must receive at least average ratings from her supervisor in all of the supervision reports in order to be released from the supervision. At the conclusion of the two years of supervision, so long as Respondent's ratings are average or above on all supervision reports, the Board Chair shall provide her with written approval of her release from supervision. Any costs and associated expenses of this supervision shall be borne by the Respondent.

B. The Board may require additional conditions, within its discretion, based upon the fitness for practice evaluation.

IV. Upon successfully completion of the conditions of probation set forth in Roman Numeral III A and B, Respondent shall be released from probation by the Board.

V. 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.

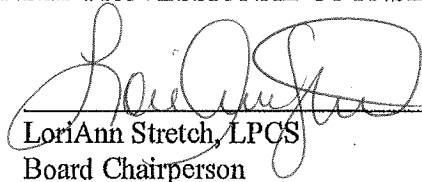
VI. The Board shall maintain this Consent Order as a public record pursuant to N.C. Gen. Stat. §§132-1 and 90-340(f) and shall provide copies to the American Counseling Association and the National Board of Certified Counselors, and to other agencies or individuals as required by law.

This the 7th day of December, 2012.

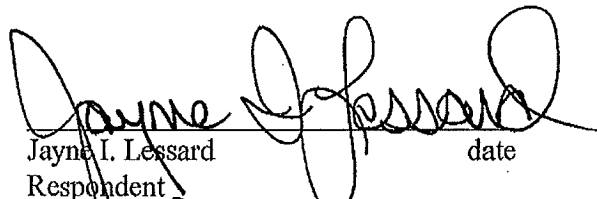
CONSENTED TO BY:

NORTH CAROLINA BOARD OF
LICENSED PROFESSIONAL COUNSELORS

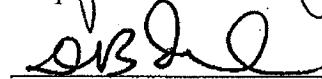
BY:


LoriAnn Stretch, LPCS
Board Chairperson

date


Jayne I. Lessard
Respondent

date


David B. Freedman
Crumpler Freedman Parker & Witt
Attorney for Respondent

date

CERTIFICATE OF SERVICE

I, Sondra C. Panico, Assistant Attorney General, hereby certify that I have this date delivered a copy of the foregoing **CONSENT ORDER** upon the following by first class mail on this day, addressed as follows:

Jayne I. Lessard, M.A.
1317 Georgetown Court
High Point, NC 27262

David Freedman
Crumpler Freedman Parker & Witt
301 North Main Street Suite 700
Winston Salem, NC 27101

This the 10th day of December, 2012.



Sondra C. Panico
Assistant Attorney General



State of North Carolina

Department of Justice

P.O. BOX 629

RALEIGH

27602-0629

Roy Cooper
ATTORNEY GENERAL

REPLY TO:
Service to State Agencies
Sondra C. Panico
(919) 716-6792
FAX: 716-6755

February 14, 2013

Ms. Jayne I. Lessard, M.A.
1317 Georgetown Court
High Point, NC 27262

RE: North Carolina Board of Licensed Professional Counselors Case number 1401

Dear Ms. Lessard:

At the February 11, 2013 meeting of the Ethics Review Committee, the Committee reviewed the fitness for practice evaluation submitted by Roger Wallace, M.A. I have enclosed a copy of the evaluation report. After having reviewed the fitness for practice evaluation, the Committee, on behalf of the Board, is adding the following conditions to the terms of your two year probation:

- 1) You are required to continue in therapy on a regular basis with a therapist that you do not have a previous relationship for the two year probationary period. Further, the therapist should be competent in the area of the treatment of sexual abusers. Gregg Letourneau would not be an appropriate therapist.
- 2) The therapist shall be provided with a copy of the fitness for practice evaluation completed by Mr. Wallace.
- 3) The new therapist is required to submit quarterly reports (every three months) to the Board updating the Board on your progress and response to therapy. The Board does not require extensive details about your therapy, rather a general progress report so the Board can be assured that the issues involving this in matter are being addressed and progress is being made.
- 4) At the completion of the two year probationary period, the therapist shall submit a final report to the Board. Therapy may continue beyond that point, but as long as you have been regularly attending therapy and progress has been made, the therapist will no longer be required to submit reports to the Board.

Please feel free to contact me if you have any questions at (919) 716-6792.

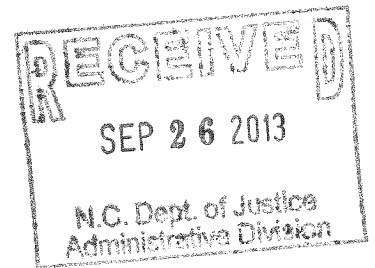
Sincerely,

A handwritten signature in black ink, appearing to read 'Sondra C. Panico', with a long horizontal flourish extending to the right.

Sondra C. Panico
Assistant Attorney General

Enclosure

cc: David Freedman, Esquire
Bonnie Strickland, Deputy Administrator, NCBLPC



State of North Carolina

Roy Cooper
ATTORNEY GENERAL

Department of Justice
P.O. BOX 629
RALEIGH
27602-0629

REPLY TO:
Service to State Agencies
Sondra C. Panico
(919) 716-6792
FAX: 716-6755

September 12, 2013

Ms. Jayne I. Lessard, M.A.
1317 Georgetown Court
High Point, NC 27262

RE: North Carolina Board of Licensed Professional Counselors Case number 1441

Dear Ms. Lessard:

I write on behalf of the Ethics Review Committee of the North Carolina Board of Licensed Professional Counselors regarding the above referenced matter. The Committee carefully considered the complaint, and the information submitted to the Board by you and by the complainant. The Committee has reached its decision and has instructed me to inform you of its findings.

The Ethics Review Committee determined that your previous Consent Order with the Board required you to be under probation for a two year period, and one of the conditions was supervised practice. As a result of the complaint in case 1441, the Committee is including an additional condition to your supervision under the Consent Order as follows:

Your supervisor is required to submit quarterly reports to the Board and attached to the reports the supervisor shall provide a written narrative of your response and progress in supervision during the period of time covered by the quarterly report. The supervisor shall specifically address your boundary issues with clients during supervision and shall report on this issue in the written narratives.

All other conditions of this supervision remain as written in the consent order. You are further reminded that to date, the Board has not received a supervision contract in order to approve your return to the practice of counseling. You are reminded that you cannot practice until a supervision contract is approved by the Board.

No later than October 1, 2013, please sign below and return as an acceptance of this additional condition of your Consent Order. If you do not respond by October 1, 2013, or you are not willing to accept this additional condition, then the Committee will determine how to proceed in this matter.

Please feel free to contact me if you have any questions at (919) 716-6792.

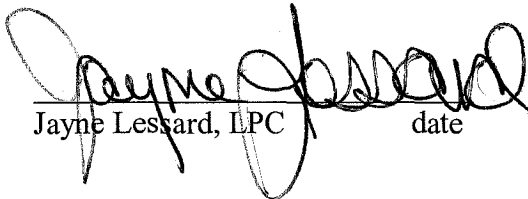
Sincerely,



Sondra C. Panico
Assistant Attorney General

cc: David Freedman, Esquire
Bonnie Strickland, Deputy Administrator, NCBLPC

I accept the additional conditions in this letter as part of my probation with the Board under the Consent Order dated December 7, 2012.



Jayne Lessard, LPC date 9/16/13