

Coaching



TEXAS STATE BOARD OF EXAMINERS OF PROFESSIONAL COUNSELORS

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October 27, 2017

Certified Mail Number# 7014 3490 0000 3385 6812
and First Class Mail Service

RE: Notice of Violation (NOV) - [REDACTED] Licensed Professional Counselor, [REDACTED] - Case #1061-14-0140

Attorney [REDACTED]

The Complaints Committee (Committee) of the Texas State Board of Examiners of Professional Counselors (Board) has reviewed documents and evidence related to an investigation of your client's practice as a Licensed Professional Counselor (LPC). As a result of the investigation, the Committee found deficiencies under Chapter 503 in the Texas Occupations Code, (TOC) and 22 Texas Administrative Code (TAC) Chapter 681. The Committee considered the aforementioned documents and evidence at its meeting held on or about February 16, 2017.

The Committee proposes a one (1) year probated suspension with stipulations, of your client's LPC License #17860, in accordance with the following criteria:

- Texas Occupations Code (TOC) §503.401(a)(1), which states, "A person licensed under this chapter is subject to disciplinary action...if the person: violates this chapter or a rule or code of ethics adopted by the board."
 - TOC §503.401(b)(1) and (3), which states, "If a person is subject to disciplinary action under this section, the board shall: ...suspend the person's license...;
 - (3): suspend the person's license and place the person on probation with the license suspension probated..."
 - 22 Texas Administrative Code (TAC) §681.162(a)(2), which states, "The Board may...suspend...a license... to a person who: violates a rule adopted by the Board."
1. During the one (1) year probated suspension, [REDACTED] will be required to complete twelve (12) hours of continuing education focusing on dual relationships.
 2. During the one (1) year probated suspension, [REDACTED] will be required to be supervised monthly by a Board Approved Supervisor.
 3. During the one (1) year probated suspension, while meeting monthly with a Board Approved Supervisor, the Supervisor must submit quarterly reports to the Executive Director.

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The proposed action is based upon the following allegations:

1. From on or about December of [REDACTED] failed to maintain professional boundaries and engaged in activities for her personal gain at the expense of the client when she entered into a "Life Coaching" relationship with the client approximately ten months after counseling services ended.

This is in violation of 22 TAC §681.41(i), (k) (See bullets below).

- 22 TAC §681.41(i) states, "A licensee shall not engage in activities for the licensee's personal gain at the expense of a client."
- 22 TAC §681.41(k) states, "A licensee shall set and maintain professional boundaries."

2. [REDACTED] failed to respond to the investigators request for a complete copy of the client's file, and a complete copy of the client's records for the life coaching services received.

This is in violation of 22 TAC §681.46(d) (See bullets below).

- 22 TAC §681.46(d) states, "A licensee shall cooperate with the board by furnishing documents or information and by responding to a request for information from or a subpoena by the board or its authorized representative."

In accordance with Government Code §2001.05-4(c), you have the right to show compliance with all requirements of law prior to final action by the Board. Within Fifteen (15) calendar days following receipt of this notice, you may:

- 1) Accept the Board's proposed actions in the NOV for the following: Probated suspension of your client's LPC license # [REDACTED] for a period of one (1) year, with stipulations. Respondent admits the allegations in the Board's NOV and accepts the actions proposed. The Respondent has elected to accept the probated suspension with stipulations of Respondent's license, # [REDACTED], for a period of one (1) year, and agrees to the Board's issuance of an Agreed Order, finding that Respondent engaged in the conduct and committed the violations in the NOV. Respondent waives the right to hearing or an appeal regarding the Board's findings, the proposed action and the Board's disposition of this case through the Board's issuance of an Order.
- 2) Make a written request for an informal conference and a hearing (if necessary), regarding the alleged violation; or,
- 3) Make a written request for a hearing regarding the alleged violation.

If you have any questions regarding this proposal, please contact me at (512) 834-6658.

Sincerely,

Cristina DeLuna, Executive Director
Texas State Board of Examiners for Professional Counselors

Enclosure: Complaint # [REDACTED]

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