

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED CLINICAL
MENTAL HEALTH COUNSELORS

IN THE MATTER OF:)
)
Alex Martinez, LCMHC)
Respondent)
No. 16585)

CONSENT ORDER

THIS CAUSE, coming on to be heard and being heard before the North Carolina Board of Licensed Clinical Mental Health Counselors [“the Board”], regarding pending complaint numbers 2376 and 2383; and

IT APPEARING to the Board that 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, exclusively for the purposes of this disciplinary proceeding and any future potential proceedings by, against, or involving the Board, that:

1. Respondent is a licensed clinical mental health counselor [“LCMHC”] and is subject to the Board’s jurisdiction pursuant to the North Carolina Licensed Clinical Mental Health Counselors Act, Chapter 90, Article 24 of the North Carolina General Statutes.
2. The Board issued an associate counseling license to Respondent on June 4, 2021. On September 15, 2023, Respondent became a fully licensed counselor and currently is a licensed clinical mental health counselor [“LCMHC”], which license he renewed through June 30, 2027.
3. The Board’s Ethics Review Committee found probable cause that Respondent engaged in the following conduct while licensed by the Board:
 - a. On November 30, 2025, Client AS filed a complaint against Respondent alleging Respondent initiated and engaged in extending counseling boundaries with Client AS, a former client of Respondent.
 - b. On December 21, 2025, the subsequent counselor of Client AS filed a complaint against Respondent alleging that Respondent engaged in extending counseling boundaries with Client AS.
 - c. During all times relevant to this matter, Respondent was employed at Contentnea Health Greene (“Contentnea”), a provider located in Snow Hill, North Carolina.
 - d. For a period of approximately three (3) years, and ending on or about October 24, 2025, Client AS was a patient under Respondent’s care at Contentnea.

- e. During the counseling relationship, Respondent and Complainant engaged in a significant number of communications which were not sent using a HIPAA-compliant medium.
 - f. Respondent engaged in extending counseling boundaries with Client AS while Client AS was a client at Contentnea and continuing thereafter, which progressed into sexual or romantic interactions.
 - g. Respondent denies the above-referenced extension of counseling boundaries and sexual or romantic interactions with Client AS occurred; however, the Ethics Committee's investigation obtained credible evidence to the contrary and consequently the Committee did not find Respondent's denials to be credible.
 - h. On November 28, 2025, Respondent was charged with Misdemeanor Harassing Phone Call involving former Client AS in Pitt County District Court, Case No. 2025 CR 467030-730. On April 17, 2026, the prosecutor dismissed that charge on the condition that Respondent agree to a Permanent Domestic Violence Protective Order.
 - i. On February 14, 2026, Respondent was charged with Misdemeanor Crime of Domestic Violence and Misdemeanor Domestic Violation Protective Order Violation involving former Client AS. The criminal charges are pending in Pitt County District Court, Case No. 2026 CR 232979-730 ("Pending Criminal Charges").
4. The Committee concluded that Respondent's conduct, as set forth in Paragraph 3 above:
- a. violated Sections A.5.c., A.6.b., A.6.c., and H.2.d. of the American Counseling Association Code of Ethics (2014) ["ACA Ethics Code"] and N.C. Gen. Stat. § 90-340 (a)(7) and (9) of the North Carolina Licensed Clinical Mental Health Counselors Act; and
 - b. would require him to demonstrate substantial reformation before he could be considered for potential reinstatement in the future.
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. 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.
7. Respondent understands and agrees that this Consent Order must be presented to the Board for review and potential approval and shall be effective only after approval by the full Board and entered by signature of its Chairperson.
8. Respondent further agrees that presentation of this Consent Order to the Board for review and potential 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 if the Board rejects the Consent Order and a contested case hearing is required in this case.

9. Respondent has read this entire Consent Order, assents to its terms and conditions, and agrees not to contest the findings, conclusions, or order, specifically including Stipulations 3 and 4 above, in any future potential proceedings by, against, or involving the Board. By entering into this Consent Order, Respondent is not making any admissions for any current or future proceedings, other than those by, against, or involving the Board.

10. 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 Respondent may be entitled by law.

11. Respondent waives the right to seek judicial review or to otherwise challenge the validity of this Consent Order in any court or before the Board in the future.

12. Upon entry of the Consent Order, Respondent forever releases the State of North Carolina, the North Carolina Board of Licensed Clinical Mental Health Counselors, and all its members, officials, agents, counsel, 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.

13. Respondent understands that entry of this Consent Order as a public record, mandatory reporting, and its distribution may have adverse consequences in other contexts, which shall not be the basis for reconsideration of its terms in the future.

14. Respondent was represented by Brooks Peterson in connection with the execution of this Consent Order. The Board was represented in this Consent Order by Douglas Brocker of The Brocker Law Firm, P.A.

15. Respondent agrees to service of the fully executed Consent Order to the email he provided to the Board, or to the email of his counsel of record, and waives service by any other method.

Based upon the record and the foregoing stipulations,

NOW, THEREFORE IT IS HEREBY ORDERED as follows:

I. Respondent surrenders his license to practice clinical mental health counseling in the State of North Carolina, license number 16585, which becomes effective upon entry of this Consent Order. Respondent represents that he has no current patients so winding down his practice, notifying his clients, and transferring them to other providers is unnecessary upon his surrender.

II. Respondent acknowledges and agrees that he is not authorized to engage in any acts constituting the practice of clinical mental health counseling under the North Carolina Licensed Clinical Mental Health Counselors Act in this State or concerning residents of this State upon entry of the Consent Order, unless he obtains a license or privilege authorizing him to do so in the future.

III. Respondent shall not be eligible to reapply for license or seek reinstatement until at least one year after: (a) the criminal proceedings and Pending Criminal Charges referenced above have been fully resolved, including potential appeals; and (b) Respondent has fully served any potential criminal sentence resulting from these matters, including completing any probation and paying any fines, restitution, or other amounts.

IV. To be eligible for reinstatement, Respondent agrees to a professional screening by the North Carolina Professionals Health Program (“NCPHP”) and shall follow all recommendations from the screening including as to potential assessment, treatment, and monitoring. Respondent agrees to allow the Board to provide pertinent information to NCPHP for the screening and to sign a release permitting NCPHP to provide the Board with the results of the screening and any resulting follow up. Respondent also agrees to comply with all of NCPHP’s recommendations. If treatment or monitoring is recommended, NCPHP must advocate for Respondent’s return to practice before Respondent is eligible for potential reinstatement..

V. For the purposes of potential reinstatement, this surrender shall be treated as a revocation. If Respondent becomes eligible and seeks to reapply for license or seek reinstatement to practice clinical mental health counseling in North Carolina at any time in the future, Respondent will have to meet all the requirements for licensure and reinstatement in effect at the time of his application. Respondent also will have to demonstrate substantial reformation.

VI. If Respondent satisfies all the requirements in Paragraphs III through V, the Board may impose conditions on Respondent’s potential future licensure or reinstatement, including ones based on the stipulations contained herein.

VII. The Board shall maintain this Consent Order as a public record pursuant to N.C. Gen. Stat. §§132-1 and 90-340(f), shall submit a report to the National Practitioner Databank, 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. Other than this Consent Order, all documents obtained, collected, or compiled by the Board in this matter shall remain confidential pursuant to N.C. Gen. Stat. § 90-340(f).

CONSENTED TO BY:

NORTH CAROLINA BOARD OF LICENSED
CLINICAL MENTAL HEALTH COUNSELORS

BY:  4/24/26
Dr. Yasmin Gay, LCMHCS Date
Board Chairperson

RESPONDENT:

 4-20-26
Alex Martinez Date