

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED PROFESSIONAL
COUNSELORS

IN THE MATTER OF:)

STEVEN KAMKE,)
Petitioner.)

FINAL DECISION

The North Carolina Board of Licensed Professional Counselors ("Board") heard this cause on June 12, 2015. A Notice of Hearing was served on Petitioner on May 13, 2015, notifying him that the hearing would take place on June 12, 2015, at 10:00 am, or as soon thereafter as possible, at the Wingate Inn located at 6007 Landmark Center Blvd, in Greensboro, North Carolina. Petitioner was present and appeared on his own behalf. Ms. 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. On November 19, 2014, Petitioner applied for licensure as a Licensed Professional Counselor Supervisor (LPCS). In his application, Petitioner answered "yes" to the question, "have you ever been convicted of a violation of/or pled nolo contendere to any federal, state or local statute, regulation or ordinance or entered into any plea bargain for violations, except for minor traffic violations." (Board Exhibit Number 4).
2. Included with Petitioner's application for licensure as an LPCS was a requirement to complete a fingerprint card for a criminal background check. (Board Exhibit Number 4).
3. With Petitioner's application he submitted a handwritten note which said "In the mid-90's I had a misdemeanor for a bounced check. We were moving around a lot during that time and missed notices. I think the check was around \$25. My wife at the time was keeping track of the bills. Since then she cheated, I divorced her and now I am keeping track of my own bills." (Board Exhibit Number 4).
4. Petitioner explained that the conviction happened twenty-some years ago. He said that the check bounced and he did not know it was a misdemeanor. That is why he did not report it. (T p 9). He explained that he recently found out that it was on his record and that is why he

reported it on his most recent application in November, 2014. (T p 9).

5. Petitioner does not know how he learned that he had this conviction, but thought it was when he was applying for a job. Petitioner did not remember. (T pp 15-16).

5. In all prior applications that Petitioner submitted to the Board, he answered “no” to similar questions regarding whether he had been convicted of a crime, and further attested that his answers were true and accurate. This included his initial application for licensure as a Licensed Professional Counselor on September 27, 2000; and all subsequent renewal applications in May, 2002; February, 2004; March, 2006; March, 2008; February, 2010; March, 2012; and March, 2014. (Board Exhibit Numbers 5-12).

6. This was the first request for a criminal background check that the Board has made of Petitioner. (T p 21). At the time of the request for a criminal background check, Petitioner reported this conviction for the first time.

7. The Board finds that Petitioner’s explanation for his failure to report his conviction on all prior applications/renewals with the Board not to be credible.

CONCLUSIONS OF LAW

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

II. Petitioner’s conduct violates N.C. Gen. Stat. § 90-340(a)(3), which alone warrants denial of Petitioner’s application for licensure.

III. Petitioner’s conduct violates N.C. Gen. Stat. § 90-340(a)(4), which alone warrants denial of Petitioner’s application for licensure.

IV. Petitioner’s conduct violates N.C. Gen. Stat. § 90-340(a)(5), which alone warrants denial of Petitioner’s application for licensure.

V. Petitioner’s conduct violates N.C. Gen. Stat. § 90-340(a)(9), which alone warrants denial of Petitioner’s application for licensure.

VI. Petitioner’s conduct violates N.C. Gen. Stat. § 90-340(a)(15), which alone warrants denial of Petitioner’s application for licensure.

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

- I. The application for licensure at the Licensed Professional Counselor Supervisor level of Petitioner, Steven Kamke, is hereby DENIED.
- II. Petitioner's entire application file shall be re-reviewed should he apply in the future to become licensed as a Licensed Professional Counselor Supervisor.
- III. 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 17th day of September, 2015.

NORTH CAROLINA BOARD OF
LICENSED PROFESSIONAL COUNSELORS

BY: Katherine H. Glenn
Katherine H. Glenn, 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, 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, postage prepaid addressed as follows:

Steven Kamke
639 Trenholm Trail
Fort Mill, SC 29715-6714

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:

Sondra Panico
NC Department of Justice
Services of State Agencies Section
Post Office Box 629
Raleigh, NC 27602-0629

This the 22nd day of September, 2015.



Katrina Brent
Board Administrator