

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED PROFESSIONAL
COUNSELORS

IN THE MATTER OF:)
)
CHANDREIKA DALTON,)
)
Petitioner.)
)

FINAL DECISION

The North Carolina Board of Licensed Professional Counselors ("Board") heard this cause January 17, 2019. A Notice of Hearing was served on Petitioner on December 17, 2018, notifying her that the hearing would take place on January 17, 2019, at 9:00 am, or as soon thereafter as possible, at the Office of the Board of Licensed Professional Counselors at 7D Terrace Way, Greensboro, North Carolina. Petitioner was present and was represented by Shannon Warf Wilson, of Davis and Hamrick, LLP. 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 Elizabeth Ann Harkey 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. Petitioner was licensed by the Board as a Licensed Professional Counselor Associate (LPCA) in 2015. (T p 16).
2. On or about July 20, 2018, Petitioner applied for licensure as Licensed Professional Counselor (LPC). (Board Exhibit Number 6; T p 34).
3. In Petitioner's application for licensure as an LPC, Petitioner responded to the question about whether she ever had any disciplinary action taken against an occupational license in the affirmative. (Board Exhibit Number 6).
4. Petitioner is licensed by the North Carolina Substance Abuse Professional Practice Board (NCSAPPB) and received an Admonition from the NCSAPPB, as a result of submitting two certificates of training to her direct supervisor documenting attendance at training to satisfy a workplace requirement when she did not attend the trainings. (Board Exhibit Number 4).

5. As a result of the action taken by the NCSAPPB, the Board denied Petitioner's application for licensure as an LPC. (Board Exhibit Number 3).
6. Petitioner requested a hearing as a result of the denial. (Board Exhibit Number 2).
7. Petitioner was provided notice of hearing on December 17, 2018. (Board Exhibit Number 1).
8. At the hearing, Petitioner explained that during the time period that she falsified attendance at the trainings, she was experiencing a stressful time at work and in her personal life. (T p 20). She explained that she was overwhelmed with work responsibilities. (T p 20). Rather than attending the trainings, she stayed home and slept. (T pp 21- 22).
9. She admitted that the reason she received the admonition from the NCSAPPB was because she turned in two certificates of completion of the trainings to her direct supervisor documenting her attendance at McLeod Addictive Disease Center training on two dates for classes that she did not attend. (Board Exhibit Numbers 4 & 6; T p 19).
10. Petitioner received the admonition from the NCSAPPB on August 15, 2016. (Board Exhibit Number 4; T p 27).
11. Subsequent to the admonition from the NCSAPPB, Petitioner became employed with Daymark Recovery. (T p 31). She explained that personal stressors in her life have continued, with her husband being carjacked. (T p 31). She also explained that she had financial stressors in her life as well. (T p 32).
12. Petitioner explained that working at Daymark is not as fast paced as her previous employment. (T p 33).
13. Petitioner's former supervisor, Emily Hayes, gave her below average ratings in two areas on her final supervision report. (Board Exhibit Number 8). Petitioner explained that these below average ratings were the result of her submission of certificates misrepresenting her attendance at the two professional training courses. (T p 46).
14. When Petitioner was asked about her own self-care, she explained that she is not in personal counseling. (T p 50).
15. Elizabeth Ann Harkey, who is Petitioner's supervisor at Daymark Recovery testified at the hearing. (T p 56). She is licensed as a Licensed Professional Counselor Supervisor. (T p 57). She is both Petitioner's clinical and administrative supervisor. (T pp 58-59). She gave Petitioner average or above average ratings on her final supervisor report. (Board Exhibit Number 7).

CONCLUSIONS OF LAW

- I. The Board has jurisdiction of the subject matter of this contested case and over the Petitioner.
- II. Pursuant to N.C. Gen. Stat. § 90-340(a)(6), the Board may deny licensure, or place on probation, limit practice, or require examination, remediation, or rehabilitation, to an applicant who has been disciplined by another licensing Board for conduct which would subject him or her to discipline by this Board, which alone warrants the conditions placed on her licensure by the Board.
- III. Petitioner's conduct violates N.C. Gen. Stat. § 90-340(a)(4), which alone warrants the conditions placed on her licensure by the Board.
- IV. Petitioner's conduct violates N.C. Gen. Stat. § 90-340(a)(9), which alone warrants the conditions placed on her licensure by the Board.

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

- I. The application for licensure of Petitioner, Chadreika Dalton, is approved if she successfully completes the following.
 - A. Petitioner shall undergo a psychological evaluation focused on evaluating stress and trauma and its impact on her counseling practice within 12 months of the date of this decision.
 - B. Once Petitioner has completed the psychological evaluation, the Board will review the evaluation report and if the evaluator determined that Petitioner is fit to practice without supervision she will be approved for licensure as an LPC. If the evaluator does not determine that Petitioner is fit to practice without supervision or makes other recommendations, the Board may impose conditions on her licensure as an LPC.
 - C. The Board designates Jeffrey Lorence, LPA, who may be reached at 704-364-9024, to conduct the psychological evaluation.
- II. Until Petitioner completes the psychological evaluation and is approved by the Board to be licensed as an LPC, she shall remain an LPCA.
- III. The Board shall maintain this Final Decision as a public record pursuant to N.C. Gen. Stat. §§ 132-1 and 90-340f).

This the 3 day of May, 2019.

NORTH CAROLINA BOARD OF LICENSED PROFESSIONAL COUNSELORS

BY: 

DENAUVO ROBINSON, ED.D., LPC
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, Stefon Plummer, 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, postage prepaid addressed as follows:

Chandreika Dalton
340 Pinevale Drive
Salisbury, North Carolina 28144

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:

Shannon Warf Wilson
Davis & Hamrick, LLP
Post Office Drawer 20039
Winston-Salem, NC 27120

Alesia Balshakova
Assistant Attorney General
NC Department of Justice
PO Box 629
Raleigh, NC 27602-0629

This the 6th day of May, 2019.


Stefon Plummer
Board Administrator