

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED CLINICAL
MENTAL HEALTH COUNSELORS

IN THE MATTER OF:

Damien Drakos,
Respondent
(Applicant)

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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 Respondent’s pending application for licensure; 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 licensure proceeding and any future potential proceedings by, against, or involving the Board, that:

1. Respondent is an applicant for a licensed clinical mental health counselor associate license 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’s Legal Review Committee found probable cause that Respondent engaged in the following conduct:
 - a. Respondent submitted an application for LCMHCA licensure.
 - b. On the application, Respondent answered “no” to the following 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?”
 - c. The Board obtained a criminal background check for Respondent, which included a misdemeanor conviction in 2017.
 - d. The Board subsequently sent Respondent communications regarding the criminal background check result through its licensure portal requesting an explanation of the charge and the reason for his “no” answer.
 - e. As to his “no” answer and non-disclosure, Respondent asserted that he misunderstood the terms and that he incorrectly thought a misdemeanor plea did not qualify. He expressed confusion with the application process.
 - f. The Board relies on the accuracy of statements made on applications for licensure, and statements about prior convictions are material to potential licensure and fitness to practice.

3. The Committee concluded that Respondent's conduct, as set forth in Paragraph 2 above, violated N.C. Gen. Stat. § 90-340 (a)(5) of the North Carolina Licensed Clinical Mental Health Counselors Act.
4. Other than the violations outlined above, Respondent has met the requirements for licensure as an LCMHCA.
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 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 not represented 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 provided to the Board and waives service by any other method.

Based upon the record and the foregoing stipulations,

NOW, THEREFORE IT IS HEREBY ORDERED as follows:

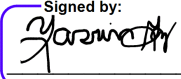
I. Respondent is granted a license but is hereby reprimanded for the above false statement and non-disclosure on the licensure application. Additionally, Respondent must comply with the one-year limited monitoring agreement with North Carolina Professionals Health Program he signed on July 15, 2026, to be in compliance with 21 NCAC 53 .1003(i).

II. 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).

III. This Order is effective as of the date it is signed by the Chair and served on Respondent to the email address of record with the Board.

CONSENTED TO BY:

NORTH CAROLINA BOARD OF LICENSED
CLINICAL MENTAL HEALTH COUNSELORS

BY:  8/18/26
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Dr. Yasmin Gay, LCMHCS Date
Board Chairperson

RESPONDENT:

 08 / 12 / 2026
Damien Drakos Date



Title	Drakos Consent Order
File name	2026-08-12 Drakos Final Reprimand CO.pdf
Document ID	d84eae8d1ebadf4f77e01883a00df02806fc1a39
Audit trail date format	MM / DD / YYYY
Status	● Signed

Document History

 SENT	08 / 12 / 2026 16:21:28 UTC	Sent for signature to Damien Drakos (damien.drakos@waldenu.edu) from sherri@brockerlawfirm.com IP: 65.190.82.40
 VIEWED	08 / 12 / 2026 16:21:50 UTC	Viewed by Damien Drakos (damien.drakos@waldenu.edu) IP: 107.15.183.173
 SIGNED	08 / 12 / 2026 16:22:43 UTC	Signed by Damien Drakos (damien.drakos@waldenu.edu) IP: 107.15.183.173
 COMPLETED	08 / 12 / 2026 16:22:43 UTC	The document has been completed.