

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA  
BOARD OF LICENSED  
CLINICAL MENTAL HEALTH  
COUNSELORS

IN THE MATTER OF: )

DONNA M. CHANDLER KORNEGAY, LCMHCS )

Respondent. )

Case No. 1766 )

**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”), at its meeting on January 27-28, 2022, pursuant to a charge letter issued by the Board on October 14, 2021 which is now pending; and

IT APPEARING to the Board that the 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 that:

1. Respondent was at all times relevant to this cause a licensed clinical mental health counselor supervisor (“LCMHCS”) 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. On June 7, 2019, Respondent entered into a Consent Order with the Board which placed her license as a Licensed Professional Counselor Supervisor<sup>1</sup> on probation for a period of at least one year.
3. During the probation period, Respondent was required to be supervised for one year by a Board approved supervisor. The supervision contract had to be filed with the Board office no later than one month after the Consent Order was executed by the Board.
4. Furthermore, within six months of the beginning of her probationary period, Respondent was required to complete continuing education coursework in each of the following areas: six hours on record keeping, six hours on billing, and three hours on ethics.

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<sup>1</sup> On 1 January 2020, the name “licensed professional counselor supervisor” and its abbreviation “LPCS” was changed to “licensed clinical mental health counselor supervisor” and its abbreviation “LCMHCS.” Act of Nov. 6, 2019, Ch. 240, sec. 2(a), 2019 N.C. Sess. Laws 240; N.C. Gen. Stat. §§ 90-330 (2), 90-331 (2022).

5. On September 28, 2020, Respondent sent a letter to the Board stating that she only had completed three hours of continuing education courses in the area of ethics. Respondent also requested an extension of time to comply with the terms of the Consent Order due to her financial circumstances. Respondent further requested that the Consent Order terms requiring supervision be modified to allow her to take a supervision course instead of the face-to-face supervision.
6. Per the Board's records, on December 1, 2020, Respondent entered into an approved supervision contract with an approved supervisor. However, on December 31, 2020, the approved supervisor submitted a quarterly supervision report showing that Respondent had received 0 supervision hours. The supervisor also terminated the supervision contract with Respondent.
7. At its meeting on March 19, 2021, the Board reviewed Respondent's request to extend and modify the terms of the Consent Order and her compliance with its terms. The Board determined that Respondent had failed to comply with several terms of the Consent Order regarding both clinical supervision and continuing education requirements. However, the Board extended the time for Respondent to comply with the terms of the Consent Order.
8. In its correspondence to Respondent dated April 4, 2021, the Board informed Respondent of its decision to extend the deadline to submit a supervision contract to the Board by May 1, 2021. The Board also asked Respondent not to engage in any practice of clinical mental health counseling outside the terms of the Consent Order. Finally, the Board informed Respondent that if she was not in compliance with the terms of the Consent Order on May 1, 2021, the Board could take any action against her license pursuant to Section VIII of the Consent Order and N.C. Gen. Stat. § 90-340, at its discretion.
9. Respondent admits that since entering into the Consent Order with the Board on June 7, 2019, she has failed to comply with several terms of the Consent Order during her probationary period and the extension granted by the Board. Specifically, Respondent has failed to file a supervision contract and to be supervised for a period of one year by a Board approved supervisor as required by the terms of the Consent Order. In addition, Respondent has failed to complete continuing education coursework from a Board approved continuing education sponsor in the following areas: six hours on record keeping and six hours on billing, as required by the Consent Order.
10. Respondent further admits that she has continued to practice clinical mental health counseling without supervision in violation of the terms of the Consent Order.
11. Respondent admits that her conduct described in Paragraphs 6 through 10 above constitutes violations of Sections C.2.a., C.3.a., C.4.b, and I.3 of the American Counseling Association Code of Ethics (2014) and violations of N.C. Gen. Stat. §§ 90-340 (a)(5), (a)(12), and (a)(15), of the North Carolina Clinical Mental Health Counselors Act.

12. 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.
13. 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 the Respondent may be entitled by law. Respondent further agrees that presentation of this Consent Order to the Board for 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, should a hearing be required in this case.
14. Respondent forever releases the State of North Carolina, the North Carolina Board of Licensed Clinical Mental Health Counselors, and all its members, officials, agents, 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.
15. Respondent waives the right to seek judicial review or to otherwise challenge the validity of this Consent Order in any court. Respondent understands and agrees that this Consent Order shall be effective only after approval by the full Board and signature of its Chairperson.
16. 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.
17. This Consent Order shall constitute disciplinary action against the license of Respondent, pursuant to N.C. Gen. Stat. §90-340(a).

Based upon the record and the foregoing stipulations,

NOW, THEREFORE IT IS HEREBY ORDERED as follows:

I. Respondent's license shall be placed on PROBATION until she fully complies with the terms of this Consent Order.

II. Respondent shall complete a fitness for practice evaluation by an appropriate clinical professional, selected by her and approved by the Board (preferably face-to-face but if necessary, by telehealth) as soon as possible but not to exceed 90 days after the date of the Consent Order.

III. Respondent shall provide a copy of this Consent Order and the charge letter issued by the Board on October 14, 2021 (with two exhibits) to her evaluator. The evaluator shall

confirm the receipt of the documents in the evaluation report.

IV. Any expenses associated with the evaluation shall be borne by Respondent.

V. The evaluator shall submit the evaluation and recommendations to the Board within 30 days of assessment. The Board will review the evaluation and recommendations, and if necessary, may take any action as authorized by N.C. Gen. Stat. § 90-340, including revocation if Respondent is determined not to be fit to practice.

VI. If Respondent is determined to be fit to practice, she may resume practice of counseling under supervision.

VII. Respondent cannot engage in any practice of counseling unless supervised for a period of one year by a Board approved supervisor for one hour of individual face to face supervision of her counseling practice, regardless of the hours of practice, for no fewer than two sessions per month. Respondent shall file a supervision contract, and the supervisor shall be approved by the Board prior to the beginning of supervision. The supervision contract must be filed with the Board office no later than 30 days after the date of this Consent Order.

VIII. Respondent shall provide a copy of this Consent Order and the charge letter issued by the Board on October 14, 2021 (with two exhibits) to her approved supervisor. The supervisor shall confirm the receipt of the documents in his/her supervision report.

IX. Respondent's supervision shall be monitored by the Board's Ethics Consultant and Investigator, Nick DeJesus, on the monthly basis during the entire period of supervision. Respondent's supervisor shall confirm Respondent's supervision no later than 5<sup>th</sup> day of each month by email to Mr. DeJesus at [dejesus@ncblcmhc.org](mailto:dejesus@ncblcmhc.org).

X. At the end of each quarter of supervision, Respondent's approved supervisor shall submit quarterly supervision reports to the Board and to the Board's Ethics Consultant and Investigator, Nick DeJesus, at [dejesus@ncblcmhc.org](mailto:dejesus@ncblcmhc.org).

XI. At the conclusion of the one year of supervision, Respondent's supervisor shall submit a Final Supervision Report to the Board and to the Board's Ethics Consultant and Investigator, Nick DeJesus, at [dejesus@ncblcmhc.org](mailto:dejesus@ncblcmhc.org). Respondent must receive at least average ratings from her supervisor on all reports in order to be released from supervision.

XII. Respondent must bear any costs and associated expenses of this supervision.

XIII. Within one year of the date of this Consent Order, Respondent shall complete continuing education coursework from a Board approved continuing education sponsor, as set forth in 21 NCAC 53.0603(c), in each of the following areas: six hours on record keeping and six hours on billing.

XIV. Upon successful completion of this continuing education coursework, Respondent shall submit a certificate of completion provided by the continuing education sponsor to the Board. This requirement shall be in addition to the continuing education coursework required for all licensees under Board rule.

XV. All costs associated with this continuing education shall be borne by Respondent.

XVI. Respondent shall not engage in any practice of counseling or supervision outside the terms of this Consent Order.

XVII. Upon successful completion of the conditions set forth in Roman Numerals I through XVI, Respondent may make a written request to the Board to release her from supervision and for the PROBATION to be lifted, which the Board shall grant so long as all conditions have been successfully completed.

XVIII. Respondent agrees that the failure of Respondent to abide by any provisions of this Consent Order within the stated deadlines shall result in further action by the Board, including revocation, in the discretion of the Board.

XIX. The Board shall maintain this Consent Order 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.

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This the 28th day of January, 2022.

CONSENTED TO BY:

NORTH CAROLINA BOARD OF  
LICENSED CLINICAL MENTAL HEALTH COUNSELORS

BY: Kylam Kurian 28 Jan 2022 Donna Kornegay 1/11/22  
Dr. Kyla M. Kurian, PHD, LCMHC date Dr. Donna C. Kornegay, LCMHCS date  
Board Chairperson Respondent