

MAR 19 2010

WAKE COUNTY
NORTH CAROLINA

BEFORE THE
ETHICS COMMITTEE
OF THE
NORTH CAROLINA SUBSTANCE ABUSE
PROFESSIONAL PRACTICE BOARD
EC-094-08

THE NORTH CAROLINA)	
SUBSTANCE ABUSE PROFESSIONAL)	
PRACTICE BOARD,)	
Petitioner)	
)	CONSENT ORDER
)	
)	
HARRY FRANKLIN MANES,)	
Respondent)	

This matter is before the Ethics Committee (the Committee) of the North Carolina Substance Abuse Professional Practice Board (the Board), pursuant to Chapter 150B of the North Carolina General Statutes and 21 North Carolina Administrative Code 68 .0600, and with the consent of Harry Franklin Manes, Respondent, Licensed Clinical Addictions Specialist (LCAS) and Certified Clinical Supervisor (CCS), Numbers 254 and 289 respectively, to consider the entry of a Consent Order in lieu of an Administrative hearing.

Respondent is represented by M. Denise Stanford, Attorney and Counselor at Law, and has received a proposed informal resolution resulting from a review of this Complaint by the Chairperson of the Committee. Board Attorney, E. Ann Christian, presented the findings of the investigation into these matters to the Respondent's Counsel. Both parties stipulate and agree to the findings of fact and conclusions of law recited in this Consent Order and to the discipline imposed. Based upon the consent of the parties, the North Carolina Substance Abuse Professional Practice Board hereby enters the following:

FINDINGS OF FACT

1. Respondent Manes was credentialed by the Board as an LCAS on or about July 17, 1998 and a CCS on or about March 14, 2003. These credentials have continued in effect until April 17, 2009.

2. At all times relevant to this Order, Respondent Manes was engaged in practice as a Substance Abuse Professional in Waynesville, North Carolina, practicing as Harry Manes, Gateway, a Comprehensive Drug/Alcohol Program.
3. Pursuant to a guilty plea in the District Court of Haywood County, Respondent Manes was found guilty of Simple Possession of Schedule II Controlled Substances and Possession of Marijuana up to ½ ounce on March 11, 2009 (Case Numbers 08 CR 54350 and 08 CR 54351 respectively).
4. The Respondent's conduct is mitigated by his cooperation with the Board.

CONCLUSIONS OF LAW

Respondent Manes is in violation of North Carolina General Statutes 90-113.44(a)(3), 90-113.44(a)(6), and 90-113.44(a)(9) and Rule 21 NCAC 68 .0504 (a).

The Respondent admits that sufficient violations of the laws governing the substance abuse profession exist for the Board to take action as authorized by G.S. 90-113.44.

The Respondent waives any further Findings of Fact and Conclusions of Law in these matters.

Based on the foregoing, and with the consent of the Respondent, IT IS THEREFORE THE

ORDER OF DISCIPLINE

That the Respondent Manes' credentials issued by the North Carolina Substance Abuse Professional Practice Board are hereby suspended for a period of five years, this period of time to run from the date he surrendered his credentials, September 2, 2009.

That the Respondent agree to provide with his application for reinstatement of his credential(s) the report of a substance abuse professional (selected by Respondent Manes from a list of three substance abuse professionals designated by the Board) indicating that the Respondent has been assessed, the results of this assessment, and evidence that he has completed any and all recommended treatment.

That the Respondent agree to assume all costs of the assessment and any necessary treatment recommended by the substance abuse professional.

That the Respondent, upon re-instatement, shall be subject to supervision for a period of one year by a Certified Clinical Supervisor who shall provide a completed supervision contract to the Board for its review.

In addition to the standard requirements of continuing education that are required before Respondent Manes can be re-credentialed by the Board, that the Respondent shall complete six (6) additional hours of ethics training addressing the subject of substance abuse.

That the Respondent shall resign any position with the Board wherein Respondent serves as an employee or volunteer.

That the Respondent shall violate no rules or regulations of the Board.

This the 12 day of February, 2010.

Bert Bennett Ph.D.

Bert Bennett, Ph.D.
Ethics Chairperson
NCSAPPB

Harry F. Manes 03-16-2010
Harry Franklin Manes
Respondent