

STATE OF NORTH CAROLINA

**NORTH CAROLINA
SUBSTANCE ABUSE PROFESSIONAL
PRACTICE BOARD**

In the Matter of:)
)
)
LYNNE M. TARAS,)
Respondent)
)

FINAL DECISION

The North Carolina Substance Abuse Professional Practice Board (“Board”) heard this case on Friday, March 13, 2015. A Notice of Hearing was personally served on Ms. Lynn M. Taras, (hereinafter, “Respondent.”) Respondent did not appear at the hearing. E. Ann Christian, Board Counsel, appeared on behalf of the Board.

THIS MATTER came on for hearing to determine whether or not Respondent, a Licensed Clinical Addictions Specialist-Associate, Number 3424, violated North Carolina General Statute §90-113.44 (a)(9), §90-113.44 (a)(10), 90-113.44(a)(6) and Rule 21 NCAC 68 .0509 (b), (c)(2), and (d) is subject to discipline by the Board pursuant to G.S. §90.113.33(2) authorizing the Board to suspend or revoke the credential or reprimand or otherwise discipline substance abuse professionals in this State.

ISSUES

Specifically, the grounds for discipline as set forth in G.S. §90-113.44 are as follows:

- “(a)(9) Engaging in conduct that could result in harm or injury to the public.”
- “(a)(10) Entering into a dual relationship that impairs professional judgment or increases the risk of exploitation with a client or supervisee.”
- “(a)(6) Engaging in any act or practice in violation of any of the provisions of this Article or any of the rules adopted pursuant to it, or aiding, abetting, or assisting any other person in such a violation.”

Rule 21 NCAC 68 .0509(b), appearing in the North Carolina Administrative Code that serves as a basis for discipline upon which the Respondent is charged, reads as follows:

“The professional shall avoid dual relationships that could impair professional judgment or increase the risk of exploitation of a client.”

Rule 21 NCAC 68 .0509(c)(2) reads as follows:

“The substance abuse professional shall not engage in or solicit sexual activity or sexual contact with a former client for five years after the termination of the counseling or consulting relationship.”

Rule 21 NCAC 68 .0509(d) reads as follows:

“The substance abuse professional shall not misuse his or her professional relationship for sexual, financial, or any other personal advantage.”

The Notice provided specific factual allegations and announced a hearing set for March 13, 2015. The hearing was conducted on said date at the Crown Room of the Sheraton Imperial Hotel and Convention Center, 4700 Emperor Boulevard, Durham, North Carolina before a quorum of the Board. Based upon the record in this proceeding and the testimony, exhibits, and any stipulations presented at the hearing, the Board makes the following:

FINDINGS OF FACT

The Board finds, by a preponderance of the evidence, that the following facts are true and relevant:

1. Respondent is a substance abuse professional with a credential as a Licensed Clinical Addictions Specialist-Associate (Number 3424).
2. On or about February 12, 2015, Respondent was personally served with a Notice of Hearing on this matter set for Friday, March 13, 2015.
3. Although the Notice of Hearing informed Respondent that the Hearing could be conducted without the Respondent being present, she failed to appear at the Hearing to request that the matter be continued or to respond to the Complaint.
4. Respondent was employed as “clinician” during the period of time relevant to this matter, September 30, 2014 until October 4, 2014, and provided services as a substance abuse professional while at Daymark Recovery Services, Statesville, North Carolina during such time as she was credentialed as a Licensed Clinical Addictions Specialist-Associate.

4. Complainant Sheehan was a patient from September 30, 2014 until October 4, 2014 at Daymark Recovery Services, Statesville, North Carolina where the Respondent provided services to the Complainant.

5. While a clinician, Respondent entered into a series of private discussions that led to her establishing a dual relationship with Complainant Sheehan that was demonstrated by her series of text messages communicating a personal attraction that were sent hours after the Complainant, a patient, was released from the facility.

6. The nature of the dual relationship was further evidenced by Respondent's requesting and obtaining Complainant Sheehan's address, wherein she appeared at Complainant's home within days following Complainant's release.

7. Complainant Sheehan received a communication from Respondent evidencing a desire for: "...real, genuine human interaction. It's been a long time. It's been absent from my life." This communication the Complainant felt was a solicitation of sexual activity by Respondent.

8. While knowing Complainant Sheehan was in recovery from alcohol abuse, Respondent (who days earlier was serving as his clinician at the recovery center) appeared at Complainant's home with a bottle of wine, proceeded to open it, poured herself a glass of wine and drank it while making it available to Complainant.

9. Subsequent contact by Respondent with Complainant Sheehan prompted Complainant to obtain a NO-CONTACT ORDER FOR STALKING OR NONCONSENSUAL SEXUAL CONTACT against Respondent on February 2, 2015.

10. The place of employment for Respondent during the relevant time, September 30, 2014 until October 4, 2014 was Daymark Recovery Services and it received a report of a dual relationship between Complainant Sheehan and Respondent Taras that it investigated and responded with the termination of employment of Respondent; followed by the submission of a Complaint from Staff member, Sharon Wilcox, to the Board on October 22, 2014, alleging a dual relationship between Complainant and Respondent.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of the subject matter of this contested case and over the Respondent.

2. The preponderance of the evidence establishes that Respondent, is in violation of G.S. §90-113.44(a)(9), by engaging in conduct that subjects a former patient known to be recovering from alcohol abuse to alcohol.

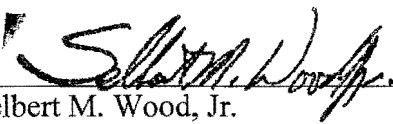
3. The preponderance of the evidence establishes that Respondent, is in violation of G.S. 90-113.44(a)(10) by entering into a dual relationship that impairs professional judgment or increases the risk of exploitation of the client or supervisee.

4. The preponderance of the evidence establishes that Respondent is in violation of G.S. 90-113.44(a)(6), citing violation of the Rules of the Board, specifically by entering into a dual relationship that could impair professional judgment (Rule 21 NCAC 68 .0509[b]), soliciting sexual activity (Rule 21 NCAC 68 .0509[c][2]), and misusing the relationship for sexual...or any other personal advantage (Rule 21 NCAC 68 .0509[d]).

IT IS, THEREFORE, ORDERED by the Board that Respondent's Credential, as a Licensed Clinical Addictions Specialist-Associate, be revoked immediately.

THIS the 6 day of April, 2015.

NORTH CAROLINA SUBSTANCE ABUSE
PROFESSIONAL PRACTICE BOARD

By: 
Selbert M. Wood, Jr.
President and Presiding Officer

APPEAL

Pursuant to N. C. General Stat. 150B-45, any party wishing to appeal this Final Decision may commence the appeal by filing a Petition for Judicial Review in the Superior Court of Wake County on in the Superior Court or the county in which the party resides. The party seeking review must file the petition within 30 days after being served with a written copy of this Final Decision.