

# HARRIS & HILTON, P.A.

NELSON G. HARRIS  
Nharris@HarrisHiltonLaw.com

ATTORNEYS AT LAW  
7320 SIX FORKS ROAD, SUITE 100  
RALEIGH, NORTH CAROLINA 27615

Facsimile: (919) 848-6918

January 28, 2020

Ms. Polly Denise Ricks  
1022 Wilson Street  
Roanoke Rapids, NC 27870

**Re: Polly Denise Ricks; EC-563-19**

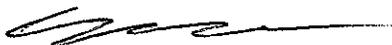
Dear Ms. Ricks:

Enclosed please find a copy of the Order entered by the North Carolina Addictions Specialist Professional Practice Board, with respect to the above referenced matter.

Should you wish to have the stay lifted, so that you could resume practice, the first step would be to make a full and complete response to the Ethics Complaint against you.

Very truly yours,

HARRIS & HILTON, P.A.



Nelson G. Harris

NGH:tsm  
Enclosure

cc: Mr. Barden Culbreth (by email) (w/ Enclosure)  
Mr. Elizabeth Ramos (by email) (w/ Enclosure)  
Mr. Barden Culbreth (w/ Enclosure)

**BEFORE THE  
NORTH CAROLINA ADDICTIONS SPECIALIST PROFESSIONAL  
PRACTICE BOARD**

|                                  |   |                      |
|----------------------------------|---|----------------------|
| NORTH CAROLINA ADDICTIONS        | ) |                      |
| SPECIALIST PROFESSIONAL PRACTICE | ) |                      |
| BOARD,                           | ) |                      |
| Petitioner                       | ) |                      |
|                                  | ) |                      |
| v.                               | ) | <b>ORDER</b>         |
|                                  | ) |                      |
| POLLY DENISE RICKS,              | ) | <b>EC No. 563-19</b> |
| Respondent                       | ) |                      |

THIS CAUSE came on to be heard before the North Carolina Addictions Specialist Professional Practice Board on January 24, 2020, at the Sheraton Imperial, 4700 Emperor Boulevard, Durham, NC 27703, on the Notice of Hearing dated November 25, 2019.

The Board, having heard the evidence, and having reviewed the record, makes the following **FINDINGS OF FACT**:

1. Petitioner North Carolina Addictions Specialist Professional Practice Board (known through December 31, 2019 as the “North Carolina Substance Abuse Professional Practice Board”) (“the Board”), was established by G.S. 90-113.32, and is recognized as the registering, certifying, and licensing authority for substance abuse professionals described in the Practice Act. The Board was established to safeguard the public health, safety, and welfare, to protect the public from being harmed by unqualified persons, to assure the highest degree of professional care and conduct on the part of credentialed substance abuse professionals, to provide for the establishment of standards for the education of credentialed substance abuse professionals, and to ensure the availability of credentialed substance abuse professionals of high quality to persons in need of these services. The Board, under authority granted by the Practice Act regulates Board-credentialed persons offering substance abuse counseling services, substance abuse prevention services, or any other substance abuse services for which the Board may grant registration, certification or licensure.

2. During the period from November 5, 2014 through June 23, 2019, Respondent was registered as a Certified Substance Abuse Counselor, CSAC-R No. 20900. [As of January 1, 2020, Certified Substance Abuse Counselors are re-titled “Certified Alcohol And Drug Counselors”.] Respondent began to reapply for Registration on June 25, 2019, but has not completed her new application.

3. On August 5, 2019, the Board received an Ethics Complaint (“the Complaint”) against Respondent; the substance of which is that Respondent was having a client buy drugs for her, including fentanyl, cocaine and pain pills; and that she was drinking alcohol; and that the client’s recovery was being negatively affected by her purchases.

4. On August 5, 2019, the Board sent a copy of the Complaint to Respondent, by first class mail addressed to 1022 Wilson Street, Roanoke Rapids, NC 27870 (the Board's address of record for Respondent), demanding response to the Complaint within thirty (30) days.

5. On October 23, 2019, having received no response to the August 5, 2019 letter, or the Complaint, the Board, through counsel, sent a follow up letter to Respondent, by Overnight Mail Signature Capture, and First Class Mail, directed to 1022 Wilson Street, Roanoke Rapids, NC 27870, demanding response by November 6, 2019.

6. On October 28, 2019, having received no response to the August 5, 2019 letter, or the Complaint, the Board, through counsel, sent a second follow up letter to Respondent, by Overnight Mail Signature Capture, and First Class mail, directed to 212 Charlotte Street, Roanoke Rapids, NC 27870 (an address secured by skip trace), demanding response by November 13, 2019.

7. The First Class Mail envelopes have not been returned; and the Overnight Mail Signature Capture envelopes have not been signed for by anyone.

8. Respondent has made no response to the Complaint.

9. On November 25, 2019, a Notice of Hearing was issued, giving Respondent notice that a hearing would be held on January 24, 2020, at the Sheraton Imperial, to consider whether discipline should be imposed on account of Respondent's failure to respond to the Ethics Complaint.

10. The Notice of Hearing was sent by overnight mail with signature capture to 212 Charlotte Street, Roanoke Rapids, NC 27870, which the Board has as Respondent's address; and the Notice of Hearing was, in fact, received by Respondent, on November 27, 2019, as evidenced by a FedEx Overnight Mail receipt.

11. On January 23, 2020, Ricks contacted counsel for the Board, indicated that she would be at the hearing to be held on January 24, 2020; however, she was not present at the call of the matter for hearing.

12. Respondent is subject to the North Carolina Substance Use Disorder Professional Practice Act and the rules promulgated thereunder. The Board has jurisdiction over the person of the Respondent and the subject matter of this proceeding.

13. Pursuant to 21 NCAC 68. 0601 and other provisions of the 21 NCAC 68 .0101 *et seq.*, grounds exist to discipline Respondent relating to the facts and circumstances set forth above, up to and including permanent revocation of Respondent's registrations, licenses and certifications.

14. The appropriate discipline to impose, with respect to the actions found above, and in light of Respondent's contact, may be anything up to permanent revocation of Respondent's

registrations, licenses and certifications, and specifically her registration as a Certified Drug And Alcohol Counselor.

BASED UPON THE FOREGOING FINDINGS OF FACT, THE COURT CONCLUDES AS A MATTER OF LAW:

1. The North Carolina Addictions Specialist Professional Practice Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 90, Article 5C of the North Carolina General Statutes and the corresponding Rules at 21 North Carolina Administrative Code (“NCAC”), Chapter 68.

2. Pursuant to 21 NCAC 68. 0601 and other provisions of the 21 NCAC 68 .0101 *et seq.*, grounds exist to discipline Respondent relating to the facts and circumstances set forth above, up to and including permanent revocation of Respondent's registration as a Certified Drug And Alcohol Counselor, for Respondent's failure to respond to the Complaint.

3. The appropriate discipline to impose in connection with Respondent’s failure to respond to the Ethics Complaint is a five (5) year suspension of Respondent’s registration as a Certified Drug And Alcohol Counselor (CDAC-R No. 20900); with the suspension subject to being lifted if Respondent responds to the Ethics Complaint and if the Board, after reasonable investigation, and hearing, determines that the stay should be lifted.

### **ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. Respondent's registration as a Certified Drug And Alcohol Counselor (CDAC-R No. 20900) is suspended for a period of five (5) years from the date of this Order.

2. The Board may lift the stay if Respondent responds to the Ethics Complaint, and if the Board, after reasonable investigation, and hearing, determines that the stay should be lifted.

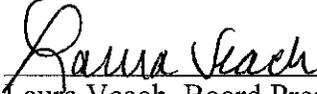
3. This Order is effective upon the date executed by the Board.

### **NOTICE**

To obtain judicial review of this Final Decision, the entity or individual seeking review must file a petition within thirty (30) days after service of a written copy thereof, with the Clerk of the Superior Court of the County where the entity is headquartered or the individual resides.

This the 27<sup>th</sup> day of January, 2020.

THE NORTH CAROLINA ADDICTIONS SPECIALIST  
PROFESSIONAL PRACTICE BOARD

By:   
Laura Veach, Board President