

**BEFORE THE
NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL
PRACTICE BOARD**

THE NORTH CAROLINA SUBSTANCE)	
ABUSE PROFESSIONAL PRACTICE)	
BOARD,)	
Petitioner)	
)	
v.)	CONSENT ORDER
)	
JAMES RAY,)	EC No. 479-18
Respondent)	EC No. 487-18
LCAS-A No. 24085)	EC No. 488-18

THIS MATTER is before a Panel of the Ethics Committee ("the Panel") of the North Carolina Substance Abuse Professional Practice Board ("the Board"), pursuant to Chapter 150B of the North Carolina General Statutes; 21 N.C.A.C. 68.0600, and N.C. Gen. Stat. § 90-113-44, and with the consent of James Ray ("Respondent"), Licensed Clinical Addictions Specialist - Associate (LCAS-A No. 24085) for entry of a Consent Order ("the Order") to resolve issues raised in Ethics Complaint No. 479-18; Ethics Complaint No. 487-18 and Ethics Complaint No. 488-18 ("the Complaints").

Resolution under the terms of this Order is accepted by both the Board and Respondent in lieu of an administrative hearing on the issues raised by the Complaints. Based upon the record herein and with the consent of Respondent, the Board makes the following:

FINDINGS OF FACT

1. On October 18, 2017, Respondent James Ray registered for licensure as a Licensed Clinical Addictions Specialist - Associate (LCAS-A No. 24085).

2. On May 31, 2018, the Board received an Ethics Complaint (EC No. 479-18), alleging that Respondent had solicited and obtained Buprenorphine, a controlled substance, from clients obtaining services at the agency where he worked, as well as clients participating in the SACOT group clinician facilities; and that he was abusing Buprenorphine.

3. Respondent has admitted to the allegations in the Complaint; taking appropriate responsibility for his actions.

4. Respondent purchase of Buprenorphine from clients of his employer constitutes being an accessory to or participating in dishonesty, fraud, misrepresentation or any other illegal act involving a client or person served; in violation of 21 NCAC 68.0601(5)(c); and entering into a personal financial relationship with a client or person served in violation of Rule .0511 or any other Rule, in violation of 21 NCAC 68.0601(4)(c)

5. Respondent's use of Buprenorphine constitutes use of controlled substances to such an extent that his professional competency was impaired, in violation of 21 NCAC 68.0601(6)(c) and (e).

6. Respondent's acts are grounds for discipline under N.C. Gen. Stat. § 90-113.44(2) and 21 NCAC 68 .0101 *et seq.*, up to and including revocation of Respondent license as a Licensed Clinical Addictions Specialist - Associate (LCAS-A No. 24085).

7. Respondent is not currently under the supervision of a Certified Clinical Supervisor ("CCS").

8. On June 21, 2018, the Board received an Ethics Complaint (EC No. 487-18), alleging that Respondent had sought to purchase Suboxone medication from a non-client.

9. Respondent has denied the material allegations of EC No. 487-18; nevertheless, Respondent agrees that sufficient evidence exists from which the Board could make findings that

he sought to purchase Suboxone from a non-client, and further agrees that, for purposes of this Consent Order, and for no other purpose, to a finding that he attempted to purchase Suboxone from a non-client.

10. On June 22, 2018, the Board received an Ethics Complaint (EC No. 488-18), alleging numerous boundary violations, including Respondent attempts to purchase Suboxone from clients.

11. The allegations contained in EC No. 488-18 are similar enough to those in EC No. 487-18, and EC No. 488-18, that no findings are made with respect to the allegations contained therein.

Based upon the Findings of Fact and with the consent of the parties hereto, the Board makes the following:

CONCLUSIONS OF LAW

1. The North Carolina Substance Abuse 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 (the “North Carolina Substance Abuse Professional Practice Act”) and the corresponding Rules at 21 North Carolina Administrative Code (“NCAC”), Chapter 68.

2. Respondent was, at the time the Ethics Complaint was made, a Licensed Clinical Addictions Specialist - Associate (LCAS-A No. 24085), and is subject to the North Carolina Substance Abuse 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.

3. Pursuant to 21 NCAC 68. 0601, and other provisions of the 21NCAC 68 .0101 *et seq.*, grounds exist to discipline Respondent relating to the facts and circumstances set forth above.

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law, and with the consent of the parties, pursuant to the authority set forth in N.C. Gen. Stat. §90-113.33, it is ORDERED as follows:

ORDER

1. Respondent's license as a License Clinical Addictions Specialist - Associate (LCAS-A No. 24085) is SUSPENDED for a period of two (2) years, beginning on the date this Order is entered by the Board.

2. The first six (6) months of the Suspension shall be ACTIVE.

3. The balance of two (2) year Suspension shall be stayed if, and only if:

a. Respondent submits to a substance abuse assessment by a Board approved assessor; complies with the assessor's recommendations; and the assessor provides a written report with respect to the same, to the Board, within the six (6) months of his Active Suspension. The Report shall include documentation reflecting both the recommendations made by the assessor, and showing compliance with the same.

To the extent that compliance with the assessor's recommendations require action by Respondent continuing after the first six (6) months of the two (2) year suspension, Respondent shall be deemed in compliance if he has begun to comply with the recommendations and is not in default thereunder; and if he continues to comply with those recommendations for the balance of the Suspension term.

The costs of Respondent's assessment, and all costs of compliance, shall be the sole responsibility of Respondent.

Pre-approval of an assessor shall be sought and obtained from Barden Culbreth, Executive Director; NCSAPPB, 1046 Washington Street, Raleigh, NC 27605; Email: Barden@recanc.com. The Board shall not accept a report from an unapproved assessor.

b. Respondent shall provide a copy of this Consent Order; the assessment; and evidence of compliance, to a Certified Clinical Supervisor ("CCS"), and shall enter into and remain under a supervision contract with the same.

c. Respondent shall submit to a fitness to practice evaluation from an assessor preapproved by the Board, and that assessor shall be of the opinion, conveyed in writing to the Board, that Respondent is fit to practice.

The costs of Respondent's fitness to practice assessment shall be the sole responsibility of Respondent.

Pre-approval of an assessor shall be sought and obtained from Barden Culbreth, Executive Director; NCSAPPB, 1046 Washington Street, Raleigh, NC 27605; Email: Barden@recanc.com.

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

This the _____ day of _____, 2018.

North Carolina Substance Abuse Professional
Practice Board

BY: _____

NAME: _____

TITLE: _____

STATEMENT OF CONSENT

I, James Ray, do hereby certify that I have read the foregoing Consent Order in its entirety and that I do freely and voluntarily accept the findings of fact, conclusions of law, and order provided for therein.

This the 25 day of July, 2018.



JAMES RAY