

NORTH CAROLINA

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

WAKE COUNTY

NORTH CAROLINA ADDICTIONS SPECIALIST)
PROFESSIONAL PRACTICE BOARD,)
Petitioner)

v.)

DAVID GRAY,)
Respondent)

**CONSENT ORDER
SUSPENSION
EC-596-19**

THIS MATTER is before a Panel of the Ethics Committee ("the Panel") of the North Carolina Addictions Specialist 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; with the consent of Respondent David Gray ("Gray"), in lieu of a formal hearing on issues raised in that ethics complaint filed, against him, on December 2, 2019 (EC No. 596-19).

The Board, with the consent of Gray, makes the following **FINDINGS OF FACT**:

1. Petitioner North Carolina Addictions Specialist 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. The Board was, until January 1, 2020, known as the North Carolina Substance Abuse Professional Practice Board.

2. Respondent David Gray registered as a Certified Substance Abuse Counselor ("CSAC") on June 28, 2018, and was registered during all relevant times. Effective January 1, 2020, the title "Certified Substance Abuse Counselor" was changed to "Certified Alcohol And Drug Counselor" ("CADC").

3. On December 2, 2019, the Board received an Ethics Complaint ("the Complaint") alleging, among other things, that Respondent had engaged in a dual relationship with a client.

4. On December 12, 2019, Respondent withdrew his registration as a CSAC, asking that the Board "remove/cancel my application, effective 12.12.19".

5. Although Gray has withdrawn his registration as a CSAC, the acts alleged occurred while he was registered, and he 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 Gray and the subject matter of this proceeding.

6. Gray acknowledges that he engaged in a dual relationship with a client, which could impair professional judgment or increase the risk of exploitation of a client, in violation of 21 NCAC 68 .0509(b).

7. Gray's conduct is grounds for discipline under 21 NCAC 68 .0601 (4).

8. Pursuant to the provisions of the 21 NCAC 68 .0101 *et seq.*, and the provisions of the General Statutes cited above, grounds exist to discipline Gray relating to the facts and circumstances set forth above, up to and including permanent revocation of his registration as a CSAC (now a CADC).

9. Gray and the Board agree that the appropriate discipline to impose, with respect to the actions admitted above is as follows:

(a) a two (2) year suspension of Gray's registration as a CADC;

(b) after the first twelve (12) months of the suspension, Gray may seek to stay the remaining twelve (12) months of the suspension upon showing that he has:

(i) completed six (6) hours of Continuing Education focused on Ethics/Boundary issues during the period of active suspension (which Continuing Education hours may not be used for any other purpose, and which must be pre-approved by the Board); and

(ii) provided the Consent Order to his supervisor, who will affirm receipt of the Consent Order and agree that boundary issues will be regularly addressed as part of Gray's supervision.

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

1. The Board has the power and authority to impose discipline on Gray, and the resolution contained herein is an appropriate resolution of this case.

2. Each party should bear its own costs incurred in connection with the Board's investigation.

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.G.S. § 90-113.33, *et seq.*, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

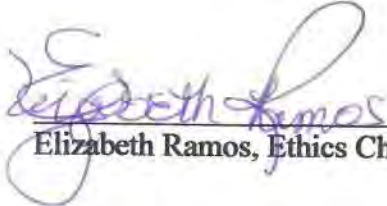
1. Gray's registration as a CADC is hereby suspended for a period of two (2) years from the date this Consent Order is executed by the Chair of the Ethics Committee of the Board.
2. After the first twelve (12) months of the suspension, Gray may seek to stay the remaining twelve (12) months of the suspension upon showing that he has:
 - (a) completed six (6) hours of Continuing Education focused on Ethics/Boundary issues during the period of active suspension (which Continuing Education hours may not be used for any other purpose, and which must be pre-approved by the Board); and
 - (b) provided the Consent Order to his supervisor, who will affirm receipt of the Consent Order and agree that boundary issues will be regularly addressed as part of Gray's supervision.
3. Each party shall bear their own costs.

This the 10th day of June, 2020.

SPECIALIST

NORTH CAROLINA ADDICTIONS

PROFESSIONAL PRACTICE BOARD

By: 
Elizabeth Ramos, Ethics Chair

STATEMENT OF CONSENT

I, David Gray, do hereby certify that I have read the foregoing Consent Order in its entirety, that I have consulted with counsel concerning the contents and effect of the same (or have had the opportunity to consult with counsel and have not done so), and that I voluntarily accept that there is a factual basis for the findings of fact set forth herein; and that those findings of fact are legally sufficient to support the findings, conclusions and discipline provided for therein, and that I assent to the terms of the Consent Order. I further express my understanding that the contents of this Consent Order shall become a part of my record with the Board, and are a public record under North Carolina law.

This the 31 day of May, 2020.


David Gray