

NORTH CAROLINA

WAKE COUNTY

BEFORE THE NORTH CAROLINA
ADDICTIONS SPECIALIST
PROFESSIONAL PRACTICE BOARD

NORTH CAROLINA ADDICTIONS SPECIALIST
PROFESSIONAL PRACTICE BOARD,

Petitioner

v.

JOSEPH LESTER WEST, III,

Respondent

CADC No. 23016

CONSENT ORDER

EC-648-20

THIS MATTER is before the Ethics Committee ("the Committee") 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 Joseph Lester West, III, in lieu of a formal hearing on issues raised in that ethics complaint identified above (EC No. 642-20).

The Board, with the consent of Respondent, 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. On July 25, 2016, Respondent registered with the Board, seeking certification as a Certified Substance Abuse Counselor ("CSAC"). CSAC-R No. 23016. Respondent was certified as a CSAC on May 7, 2019. [Effective January 1, 2020, the General Assembly changed the title "Certified Substance Abuse Counselor" to "Certified Alcohol And Drug Counselor" ("CADC")]. Respondent's certification as a CADC will expire on May 6, 2021, if not renewed.

3. On December 18, 2020, while Respondent was in the process for applying for licensure as a Licensed Clinical Addictions Specialist ("LCAS"); he was informed that Respondent had been charged with Driving While Impaired in 2017, and that he had been convicted thereof in 2019.

4. On December 18, 2020, the Board self-generated an Ethics Complaint against Respondent, referenced above, based upon Respondent's failure to report the DWI charge and conviction.

5. Respondent acknowledges that, on November 19, 2017, he was arrested for Driving While Impaired; that he was convicted on August 28, 2019; and that he did not inform the Board either of the charge or conviction until he provided information concerning the same in connection with his LCAS application.

6. Respondent's conviction of DWI is an offense under any municipal, State, or federal law, other than traffic laws as prescribed by Chapter 20 of the General Statutes, and is grounds for discipline under N.C. G.S. Section 90-113.44(a)(3).

7. Respondent's failure to timely self-report the DWI charge, and the attendant circumstances, is a failure to report unethical conduct by a substance abuse professional, as required by 21 NCAC 68 .0503(e).

8. Respondent's failure self-report the DWI conviction, within thirty (30) days of conviction, as required by 21 NCAC 68. 0606(d), and is in itself grounds for discipline.

9. 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 West relating to the facts and circumstances set forth above, up to and including permanent revocation of his certificate as a Certified Alcohol And Drug Counselor.

10. West and the Board agree that the appropriate discipline to impose, with respect to the actions admitted above, is a thirty (30) day suspension of his certification as a Certified Alcohol And Drug Counselor (CADC No. 23016); and a one (1) year delay in further processing of his application as an LCAS.

**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 West, 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.

NOW, THEREFORE, 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. West's certification as a Certified Alcohol And Drug Counselor (CADC No. 23016) is suspended for thirty (30) days from the date of full execution of this Consent Order.
2. The Board shall not process West's application for a license as a Licensed Clinical Addictions Specialist, for a period of one (1) year commencing with the date of full execution of this Consent Order.
3. Each party shall bear their own costs.

This the 22 day of March, 2021.

NORTH CAROLINA ADDICTIONS SPECIALIST
PROFESSIONAL PRACTICE BOARD

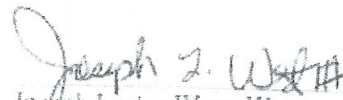
By:


Michael E. McGuire, Ethics Chair LSCS, CCAS, CCS

STATEMENT OF CONSENT

I, Joseph Lester West, III, 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. I hereby waive any right to judicial review of the Consent Order, and the discipline imposed therein.

This the 19th day of March, 2021.


Joseph Lester West, III