

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

October 14, 2019

**BY OVERNIGHT MAIL
SIGNATURE CAPTURE**

Clerk
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609

**Re: North Carolina Substance Abuse Professional Practice
Board v. Kent Graham;
File No. 19 SAP 05000**

Dear Sir or Madame:

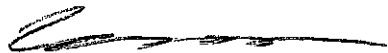
Enclosed please find the original and two (2) copies of a certain Notice Of Dismissal, with respect to the above referenced matter.

Please file the original and return the copies to me, appropriately file stamped, in the enclosed, self-addressed stamped envelope.

If there is anything else that your office needs, please let me know.

Very truly yours,

HARRIS & HILTON, P.A.



Nelson G. Harris

NGH:tsm

Enclosures

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

NORTH CAROLINA

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
FILE NO. 19 SAP 05000

CRAVEN COUNTY

NORTH CAROLINA SUBSTANCE ABUSE)
PROFESSIONAL PRACTICE BOARD,)
Petitioner)

v.)

KENT GRAHAM,)
Respondent)

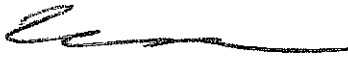
NOTICE OF DISMISSAL

PLEASE TAKE NOTICE THAT Petitioner North Carolina Substance Abuse Professional Practice Board (“the Board”), and Respondent Kent Graham (“Respondent”) have entered into a Consent Order EC-559-19, resolving all of the issues raised in the Notice Of Hearing commencing this Contested Case, and that the Board hereby dismisses this action, without prejudice.

A copy of the Consent Order EC-559-19, is attached for reference.

This the 12 day of October, 2019.

THE NORTH CAROLINA SUBSTANCE ABUSE
PROFESSIONAL PRACTICE BOARD

By: 

Nelson G. Harris
NC Bar Number 16660
7320 Six Forks Road, Suite 100
Raleigh, NC 27615
Telephone: (919) 848-6164
Facsimile: (919) 848-6918
Email: Nharris@harrishiltonlaw.com

CERTIFICATE OF SERVICE


The undersigned, being first and duly sworn deposes and says that he served a copy of the foregoing Notice of Dismissal upon Respondent Kent L. Graham by depositing a copy thereof in the United States mail, first class postage pre-paid, and addressed as follows:

Mr. Kent Graham
101 Iverson Lane
New Bern, NC 28562

This the 14th day of October, 2019.

THE NORTH CAROLINA SUBSTANCE ABUSE
PROFESSIONAL PRACTICE BOARD

By:



Nelson G. Harris
NC Bar Number 16660
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Raleigh, NC 27615
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**NORTH CAROLINA
CARTERET COUNTY**

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

NORTH CAROLINA SUBSTANCE ABUSE)
PROFESSIONAL PRACTICE BOARD,)
Petitioner)
v.)
KENT GRAHAM,)
Respondent)

**CONSENT ORDER
EC-559-19**

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; with the consent of Respondent Kent Graham ("Graham"), in lieu of a formal hearing on issues raised in that ethics complaint filed against him, in the form of a Consent Order entered in *N.C. Board Of Licensed Professional Counselors v. Kent Graham, LPC*, Case No. 1762 (NC Substance Abuse Professional Practice Board Ethics Complaint No. 559-19).

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

1. Petitioner 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. Graham is a citizen and resident of Carteret County, North Carolina; and is neither a minor nor an incompetent person.
3. On March 9, 2001, Graham received from the Board the Licensed Clinical Addictions Specialist credential (LCAS No. 743), which will expire on June 30, 2021, if not renewed.
4. On June 15, 2001, Graham received from the Board the Certified Clinical Supervisor ("CCS") credential (CCS No. 242), which will expire on June 30, 2021, if not renewed.

5. On July 1, 2019, the Board received an Ethics Complaint primarily in the form of a copy of the Consent Order entered, on June 7, 2019, in *N.C. Board Of Licensed Professional Counselors v. Kent Graham, LPC*, Case No. 1762 (NC Substance Abuse Professional Practice Board Ethics Complaint No. 559-19) (“the LPC Consent Order”).

6. Graham renewed both his CCS and his LCAS after entry of the LPC Consent Order, and did not inform the Board of the same, in violation of 21 NCAC 68 .0503(e) and 21 NCAC 68 .0601(1)(b).

7. The LPC Consent Order contains the following stipulated facts:

- a. On or about May 17, 2018, Respondent [Graham] provided counseling services as a Licensed Professional Counselor and conducted a clinical assessment of an 18 year old male, Patient X, who was brought in a hospital by law enforcement under involuntary commitment for high risk suicidal ideation. In a clinical note, Respondent [Graham] documented that Patient X was in crisis and was suicidal with plan and intent.
- b. Following Respondent’s [Graham’s] clinical evaluation of the patient’s suicidal ideation, Respondent [Graham] consulted with his clinical supervisor regarding the management and care of the patient. Respondent’s [Graham’s] supervisor instructed him to keep the patient in the hospital if the patient did not agree to a warm hand-off with the mobile crisis unit. Although the patient declined further clinical services and a referral, Respondent [Graham] discharged the patient, despite direct instructions from his clinical supervisor. Within 48 hours of leaving the hospital, Patient X committed suicide.
- c. Respondent [Graham] appeared to have failed to provide appropriate assessment of the patient’s suicidal ideation when he recommended Patient X for discharge. Further, Respondent [Graham] did not follow his clinical supervisor’s direct instructions regarding the patient’s aftercare plans. Respondent [Graham] also did not document a safety plan for Patient X. In addition, Respondent’s [Graham’s] clinical notes were inappropriate.
- d. Respondent [Graham] admits that his conduct as set forth above violates Sections A.1.a, A.1.b., A.4.a, A.11.c., A.12., B.2.a., E.1.a., and E.5.a of the American Counseling Association Code Of Ethics (2014) and violations of N.C. Gen. Stat. §§ 90-340(a)(9) and (a)(10) of the North Carolina Licensed Professional Counselors Act.

8. The facts and circumstances stipulated to by Respondent in the LPC Consent Order are grounds for discipline by this Board, up to and including permanent revocation of any certifications and licenses issued by the Board.

9. More specifically, the facts and circumstances stipulated constitute, among other things, a failure to protect the safety and welfare of the client, in violation of 21 NCAC 68 .0507(a); a failure to follow the standards of skill and competence possessed and applied by professional peers, in violation of 21 NCAC 68 .0601(6)(a); and engaging in conduct that an ordinary, reasonable and prudent person could foresee would result in harm or injury to the

public, in violation of 21 NCAC 68 .0601(6)(e).

10. The parties have agreed, rather than proceed with a Contested Case with respect to the issues raised in the Ethics Complaint, to the informal resolution contained herein.

11. The parties agree that all of the licenses and certifications, issued by the Board to Graham, should be permanently revoked.

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 Graham, 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. Graham's license, as a Licensed Clinical Addictions Specialist (LCAS No. 743), is permanently revoked.

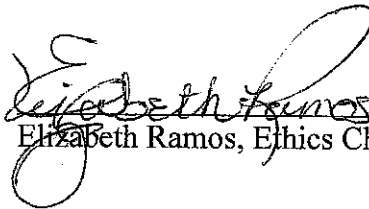
2. Graham's license, as a Certified Clinical Supervisor (CCS No. 242), is permanently revoked.

3. Each party to this proceeding shall bear their own costs, and the Board shall bear its own costs of investigation.

This the 7th day of October, 2019.

NORTH CAROLINA SUBSTANCE ABUSE
PROFESSIONAL PRACTICE BOARD

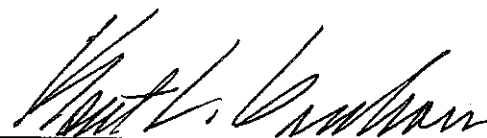
By:


Elizabeth Ramos, Ethics Chair

STATEMENT OF CONSENT

I, Kent Graham, 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 23RD day of SEPT, 2019.



Kent Graham