## NORTH CAROLINA BEFORE THE NORTH CAROLINA ADDICTIONS SPECIALIST PROFESSIONAL PRACTICE BOARD NORTH CAROLINA ADDICTIONS SPECIALIST PROFESSIONAL PRACTICE BOARD, Petitioner CONSENT ORDER V. RYAN DANIEL CARVER, Respondent BEFORE THE NORTH CAROLINA ADDICTIONS PROFESSIONAL PRACTICE BOARD CONSENT ORDER EC-696-21

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 Ryan Daniel Carver ("Carver"), in lieu of a formal hearing on issues raised in that Ethics Complaint filed December 16, 2021.

The Board, with the consent of Carver, 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 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. Respondent Ryan Daniel Carver is a citizen and resident of Caldwell County, North Carolina; and is neither a minor nor an incompetent person.
- 3. On May 26, 2021, Respondent received from the Board the Certified Alcohol and Drug Counselor credential (CADC No. 23761), which will expire on May 25, 2023, if not renewed.
- 4. Carver further admits to the following was, during times relevant to this matter, licensed as a CADC and employed at the Watauga LEAD and Recovery on the Inside programs in Boone, North Carolina.

- 5. Client X was, during times relevant to this matter, a client of those programs in halfway house in Hickory, North Carolina, as part of a recovery focused case plan.
- 6. During the time when Client X was a client in the programs, Carver and Client X engaged in, and are engaged in, an emotional and physically intimate relationship. Carver and Client X are no longer engaged in a relationship of any kind.
- 7. Carver and Client X attempted to hide their relationship from Carver's co-workers and program participants.
- 8. The facts and circumstances set forth above, constitute failure to follow the standards of skill and competence possessed and applied by professional peers credentialed in this State acting in the same or similar circumstances, in violation of 21 NCAC 68 .0601(6)(a); participating in or soliciting sexual activity or sexual contact with a current or former client of client of one's agency, in violation of 21 NCAC 68 .0601(4)(b); 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).
- 9. Respondent is subject to the North Carolina Addictions Specialist 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.
- 10. 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 Respondent relating to the facts and circumstances set forth above, up to and including permanent revocation of all of Respondent's licenses and certifications.
- 11. The parties have agreed, rather than proceed with a previously filed Contested Case, currently with the Office of Administrative Hearings as *North Carolina Addictions Specialist Professional Practice Board v. Ryan Daniel Carver*, OAH File No. 22 SAP 00884 ("the Contested Case"), to the consent resolution contained herein. More specifically, the parties agree: (a) Carver's certification as a CADC should be suspended for five (5) years; and (b) the suspension may be lifted after six (6) months years upon Carver's completion of eight (8) hours of Board approved continuing education units focused on boundary issues. The CEU units required in section 12(b) can be used for no other purpose.

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

- 1. The Board has the power and authority to suspend or revoke Carver's certification as a Certified Alcohol And Drug Counselor; to suspend Carver's certification; to condition lifting of the suspension as provided for herein.
  - 2. The resolution provided for in this Consent Order is the appropriate resolution of

this matter.

Each party should bear its own costs incurred in connection with the Board's 3. 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:

- Carver's certification as a Certified Alcohol And Drug Counselor (CADC No. 23761), is hereby suspended for a period of five (5) years.
- The suspension provided for in decretal paragraph 1 shall be lifted if more than six (6) months have passed since entry of this Consent Order, and if Carver has completed six (6) hours of Board approved continuing education units focusing on boundary issues. Preapproval for the continuing education units shall be sought from Barden Culbreth, Executive Director of the Board.
- The Board shall dismiss the Contested Case within five (5) days of entry of this 3. Consent Order.
- Each party to this proceeding shall bear their own costs, and the Board shall bear 4. its own costs of investigation.

This the 3 sq day of Macon, 2022.

NORTH CAROLINA ADDICTIONS SPECIALIST PROFESSIONAL PRACTICE BOARD

## STATEMENT OF CONSENT

I, Ryan Daniel Carver, 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.

Sworn to and subscribed before me this the 29th day of March, 2022.

Notary Public

My commission expires: <u>03/27/20</u>23