

NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
ADDICTIONS SPECIALIST
PROFESSIONAL PRACTICE BOARD
EC CASE NO. 706-22

NORTH CAROLINA ADDICTIONS)
SPECIALIST PROFESSIONAL)
PRACTICE BOARD,)
Petitioner,)
v.)
JABALI LOVELACE ALLEN)
(CADC-R NO. 27791),)
Respondent.)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL AGENCY DECISION

In accordance with N.C. Gen. Stat. § 150B-40(d), the North Carolina Addictions Specialist Professional Practice Board (hereinafter the “Board”) issues the following Findings of Fact, Conclusions of Law, and Final Agency Decision in this matter.

The record reflects that a quorum of the Board was present at the hearing held on October 28, 2022, and at the time the Board made this decision on October 28, 2022. At the hearing, Catherine E. Lee, General Counsel, appeared for Board staff. Respondent did not appear.

Before the hearing, the following inquiry was read aloud in accordance with state ethics laws: “[d]oes any board member have any known conflict of interest with respect to this matter coming before the Board today? If so, please identify the conflict or appearance of conflict and refrain from any undue or inappropriate participation in the particular matter involved.”

PETITIONER’S LIST OF EXHIBITS

1. Self Report
2. Treatment History
3. Letter to Respondent offering resolution of complaint
4. Respondent Email accepting offer of resolution
5. Email to Respondent and attached proposed Agreement
6. Email from J. Allen accepting offer
7. Follow-up email exchanges re: obtaining signature on formal Agreement of resolution
8. Notice of Hearing
9. Affidavit of Service by Publication

FINDINGS OF FACT

1. Bridge to Recovery, Inc. is a residential substance abuse treatment facility utilizing North Carolina Certified/Licensed counselors to serve clients with substance abuse disorders.
2. On March 15, 2021, Respondent entered Bridge to Recovery, Inc. as a client.
3. On April 11, 2021, Respondent graduated from Bridge to Recovery, Inc.'s 30-day residential program and began employment with Bridge to Recovery in the role of general house staff.
4. On June 10, 2021, Respondent was registered as a Certified Alcohol and Drug Counselor (CADC-R NO. 27791) by the Board.
5. In January 2022, Respondent relapsed into substance abuse.
6. On February 10, 2022, Respondent completed a detox and short residential treatment program with Bridge to Recovery, Inc.
7. On February 11, 2022, Respondent self-reported his relapse to the Board.
8. The Board staff attempted to communicate with Respondent regarding resolution of ethics issues concerning his self-report since March 2022, without success. Correspondence mailed to Respondent at his address of record with the Board have been returned to sender, undeliverable.
9. The Board scheduled the case for hearing on Friday, October 28, 2022, at 12:00 p.m.
10. Due to inability to serve the Respondent personally, the Notice of Hearing was served by publication in The Charlotte Observer for three consecutive weeks, in accordance with N.C. Gen. Stat. § 150B-38(c) and Rule 4(j) of the North Carolina Rules of Civil Procedure.
11. Respondent did not appear at the hearing.
12. At hearing, evidence was presented to establish Respondent relapsed into substance abuse, communicated his relapse to the Board, and subsequently ceased all communication with the Board or Board counsel with regard to issues related to his relapse into substance abuse.

CONCLUSIONS OF LAW

1. Respondent is subject to the Administrative Procedure Act, N.C. Gen. Stat. § 150B, with the North Carolina Substance Use Disorder Professional Practice Act, N.C. Gen. Stat. § 90, Article 5C, and the rules and regulations adopted by the Board and codified in Title 21, Chapter 68 of the North Carolina Admin Code.

2. Respondent is subject to jurisdiction before the Board.
3. The Board is authorized under Article 3A, Chapter 150B of the North Carolina General Statutes to hear this matter.
4. Respondent's acts and/or omissions violate 21 NCAC 68 .0601(6)(c), which prohibits use of drugs including alcohol to the extent that professional competency is affected or that the professional suffers impairment.
5. Based on the foregoing Findings of Fact and Conclusions of Law, the Board has the authority to suspend, revoke, or otherwise discipline Respondent's registration as a CADC-R.

FINAL AGENCY DECISION

The North Carolina Addictions Specialist Professional Practice Board hereby issues the following decision:

1. Respondent's registration as a Certified Alcohol and Drug Counselor is hereby revoked.
2. This Final Agency Decision shall take effect upon service of Respondent in a manner consistent with N.C. Gen. Stat. § 150B-42(a).
3. Pursuant to N.C. Gen. Stat. § 150B-45(a)(2), Respondent has thirty (30) days from the date that he receives this Final Agency Decision to file a Petition for Judicial Review. The Petition for Judicial Review must be filed in the Superior Court of the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, in the county where the contested case which resulted in the final decision was filed. Since this is an administrative appeal, no additional evidence will be taken. If a Petition is filed, a Superior Court Judge will review the Final Agency Decision to determine whether there were any legal errors in the Final Agency Decision.

By order of the North Carolina Addictions Specialist Professional Practice Board, this, the 15th day of November, 2022.

By: 
Flo Stein, Board Chair
North Carolina Addictions Specialist Professional
Practice Board

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on this day the foregoing **Findings of Fact, Conclusions of Law, and Final Agency Decision** was served upon the Respondent in this action by US Mail, First Class, Postage Prepaid, and addressed as follows:

Mr. Jabali Allen
2111 Stafford Street Ext.
Monroe, NC 28110

This the 15 day of November, 2022



Catherine E. Lee