

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
ADDICTIONS SPECIALIST
PROFESSIONAL PRACTICE BOARD
EC CASE NO. 776-23

NORTH CAROLINA ADDICTIONS
SPECIALIST PROFESSIONAL
PRACTICE BOARD,

Petitioner,

v.

COMRIE MCKENZIE RICE
(CADC-R No. 29259),

Respondent

CONSENT ORDER

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, Article 3A of the North Carolina General Statutes; the North Carolina Substance Use Disorder Professional Practice Act; and Chapter 68 of the North Carolina Administrative Code. The Board, with a quorum present, and Respondent stipulate and agree to the entry of the following Consent Order:

FINDINGS OF FACT

1. Petitioner Board was established by the North Carolina General Assembly to credential and regulate substance use disorder professional in North Carolina, in accordance with Chapter 90, Article 5C, of the North Carolina General Statutes.
2. Respondent currently is a citizen and resident of Buncombe County, North Carolina; and is neither a minor nor an incompetent person.
3. On January 26, 2023, Respondent was registered by the Board as a Certified Alcohol and Drug Counselor Registrant ("CADC-R") (CADC-R No. 29259), which will expire on January 25, 2028, if not renewed.

4. During all times relevant to this matter, Respondent was employed by Asheville Recovery Center (“ARC”) in the position of Behavioral Health Technician.
5. On May 18, 2023, Eli Ahamed (“Ahamed”) filed a formal complaint with the Board, alleging Respondent stole a client’s knife during the client’s intake at ARC. The complaint was designated by the Board as Ethics Complaint (“EC”) Case No. 776-23.
6. Upon investigation into EC Case No. 776-23, the Board determined the following:
 - a. Respondent’s job duties at ARC included securing clients’ valuables during client intake, including storing items prohibited on the premises, such as weapons.
 - b. During intake of a client at RHA, Respondent took possession of the client’s personal property, a knife, which should have been securely stored at RHA.
 - c. Instead of securing the knife at ARC, Respondent took the knife to her personal residence.
 - d. Respondent was terminated from employment at RHA on May 8, 2023, for the above-referenced conduct.
7. On June 8, 2023, Respondent submitted a response to the above-referenced Ethics Complaint, acknowledging removing the client’s knife from ARC premises.

CONCLUSIONS OF LAW

8. Respondent is subject to the North Carolina Addictions Specialist Professional Practice Act and the rules promulgated pursuant to that Act. The Board has jurisdiction over Respondent and the subject matter of this proceeding.

9. The acts and omissions of Respondent as described above constitute violations of N.C. Gen. Stat. §§ 90-113.44(a)(6), (a)(7), and (a)(9), 21 NCAC 68 .0507(a), 21 NCAC 68 .0509(d), 21 NCAC 68 .0601(5)(c) and 21 NCAC 68 .0601(6)(a).
10. Respondent committed one or more of the violations described above. Pursuant to N.C. Gen. Stat. § 90-113.33(2), the Board has the authority to deny, suspend, or revoke Respondent's licensure, certification, or registration to practice in this State or reprimand or otherwise discipline Respondent's license, certificate, or registration in North Carolina. Respondent wishes to resolve this matter by voluntarily surrendering his license and the Board agrees to accept this resignation in lieu of further proceedings related to this matter. BASED upon the foregoing Findings of Fact and Conclusions of Law, and in lieu of further proceedings, Respondent wishes to resolve this matter by consent and agrees that Board staff and counsel may discuss this Consent Order with the Board *ex parte* whether or not the Board accepts this Consent Order as written.

Whereas Respondent acknowledges that he read this entire document and understands it;

Whereas Respondent acknowledges that he enters into this Consent Order freely and voluntarily;

Whereas Respondent acknowledges that he had full and adequate opportunity to confer with legal counsel in connection with this matter;

Whereas Respondent understands that this Consent Order must be presented to the Board for approval; and

Whereas the Board has determined that the public interest is served by resolving this matter as set forth below.


THEREFORE, with the consent of Respondent, it is ORDERED that:

1. Respondent hereby voluntarily surrenders her registration as a Certified Alcohol and Drug Counselor Registrant (CADC-R No. 29259) from the North Carolina Addictions Specialist Professional Practice Board.
 - a. In the event Respondent elects to apply for a credential before the Board in the future, she shall appear before the Board's Quality Assurance Committee at that time; and
 - b. In the event Respondent elects to apply for a credential before the Board in the future, Respondent shall submit documentation as to an independent clinical assessment pertaining to fitness to practice and general mental health by a Board approved assessor, at Respondent's cost, deeming Respondent fit to practice.
2. The Board shall retain jurisdiction under Article 3A, Chapter 150B for all administrative hearings held in connection with or pursuant to this Consent Order. If the Board receives evidence that Respondent has violated any term of this Consent Order or any other law or rule enforced by the Board, the Board shall schedule a show cause hearing for a determination of the violations. If the Board determines that a violation has occurred, the Board may impose such disciplinary action as it determines is appropriate and is authorized by law.
3. This Consent Order shall take effect immediately upon its execution by the Board and Respondent and reflect the entire agreement between Respondent and the Board, there being no agreement of any kind, verbal or otherwise, which varies, alters, or modifies this Consent Order.

4. No modification or waiver of any provision of this Consent Order shall be effective unless it is in writing, adopted and approved by the Board, and signed by the parties affected.
5. Both the Board and Respondent participated in the drafting of this Consent Order. Any ambiguities herein shall not be construed against either party in any future civil or administrative proceeding.
6. Each party to this proceeding shall bear their own costs, and the Board shall bear its own costs of investigation.
7. Upon its execution by the Board and Respondent, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof.

CONSENTED TO:

COMRIE MCKENZIE RICE

 Date: 09/25/2023

By Order of the North Carolina Addictions Specialist Professional Practice Board, this the 25 day of September, 2023.

By:


Nyi Myint, Ethics Chair