

4. During all times relevant to this matter, Respondent has been the chief executive officer and a member of A Ray of Hope Counseling LLC (“Ray of Hope”), a substance abuse counseling provider located in Atlantic Beach, North Carolina.
5. On October 4, 2023, Client E.G. filed a formal complaint with the Board alleging Respondent improperly charged Client E.G. for a North Carolina Driving While Impaired Substance Use Assessment and corresponding required education, in relation to a Driving While Impaired charge. The complaint was designated by the Board as Ethics Complaint (“EC”) Case No. 798-23.
6. Upon investigation into EC Case No. 798-23, the Board determined the following:
 - a. On or about November 15, 2021, Client E.G. contacted Respondent via telephone, requesting a Driving While Impaired Substance Abuse Assessment in an effort to facilitate the resolution of a pending Driving While Impaired charge brought against Client E.G. in Nash County.
 - b. Respondent failed to clarify the nature of Client E.G.’s request for clinical services during intake and acted upon the belief that Client E.G. was seeking general substance use education, as opposed to a Driving While Impaired Substance Use Assessment and the corresponding clinical services and/or education.
 - c. At the direction of Respondent, Client E.G. remitted payment to Mr. Russel Shaw, Respondent’s brother, in the sum of \$125.00 in cash for clinical services to be provided to E.G. as a patient/client of Respondent.

- d. On May 9, 2022, Client E.G. remitted payment in the sum of \$800.00 to Ray of Hope for Respondent to provide twenty (20) hours of Alcohol Drug Education Traffic School to Client E.G.
- e. Client E.G. was contacted by Respondent and/or representatives of Ray of Hope on three (3) separate occasions following remittance of the above-referenced payments totaling \$925.00. The total amount of time that Client E.G. spoke with Respondent or any representative of Ray of Hope after payment was approximately fifteen (15) minutes, during which the parties discussed Cognitive Behavioral Therapy (“CBT”).
- f. On or about June 2, 2022, Respondent provided Client E.G. with a Certificate of Completion, signed by Respondent and submitted on Respondent’s official letterhead, which Client E.G. utilized during his pending criminal proceedings related to the above-referenced Driving While Impaired charge.
 - i. The Certificate of Completion that Respondent provided to Client E.G. indicated E.G. had been educated on alcohol laws, the effectiveness of cognitive behavioral therapy, the 12 Steps, the effects that alcohol can have on the brain and body, and ways to establish coping mechanisms.
- g. Respondent provided the Certificate of Completion to Client E.G. without rendering clinical services, and before Client E.G. completed the education referenced in the Certificate of Completion.
- h. Client E.G. subsequently requested Respondent submit a Certificate of Completion (e-508 form) to the North Carolina Department of Health and Human Services, so

that Respondent could seek reinstatement of his driving privileges. Respondent indicated to Client E.G. that Respondent would not submit the e-508 Certificate of Completion unless Client E.G. remitted further payment to Respondent, which Client E.G. refused.

- i. Client E.G. ultimately utilized a different provider to complete the Driving While Impaired Substance Abuse Assessment.

CONCLUSIONS OF LAW

1. 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.
2. The acts and omissions of Respondent as described above constitute violations of:
 - a. N.C. Gen. Stat. § 90-113.44(a)(6), (a)(7), and (a)(9);
 - b. 21 NCAC 68 .0503(a); and
 - c. 21 NCAC 68 .0601(6)(a), (7)(d), and (7)(e).
3. 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 suspending his credential, and the Board agrees to accept this suspension 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's certification as a Certified Alcohol and Drug Counselor (CADC No. 2556), from the North Carolina Addictions Specialist Professional Practice Board is hereby suspended for a period of three (3) months. The suspension shall be stayed. The suspension may be lifted, contingent upon the following:
 - a. Respondent's submission to the Board of documentation demonstrating successful completion of six (6) hours of continuing education, to include a minimum of two (2) separate continuing education courses/classes pertaining to ethics and boundaries with clients, including components addressing client intake, billing and recordkeeping; and
 - b. In the event Respondent does *not* submit the above-referenced continuing education

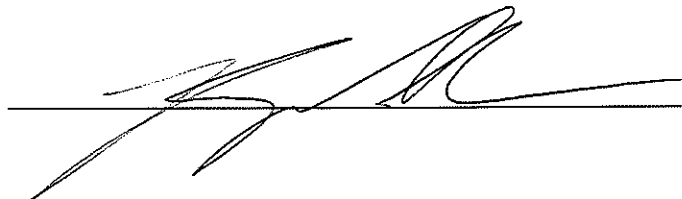
documentation within the above-referenced three (3) months of stayed suspension, Respondent's certification as a Certified Alcohol and Drug Counselor (CADC No. 2556) shall be automatically terminated by the Board.

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:

RAYMOND SHAW

 Date: 3-25-2024

By Order of the North Carolina Addictions Specialist Professional Practice Board, this the
25 day of March, 2024.

By: 
Nyi Myint, NCASPPB Ethics Chair