

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA  
ADDICTIONS SPECIALIST  
PROFESSIONAL PRACTICE BOARD  
EC CASE NO. 796-23

NORTH CAROLINA ADDICTIONS  
SPECIALIST PROFESSIONAL  
PRACTICE BOARD,  
Petitioner,

v.

HEATHER NICOLE POWELL  
(CADC-I No. 26541),  
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 Caldwell County, North Carolina; and is neither a minor nor an incompetent person.
3. On May 9, 2023, Respondent was registered by the Board as a Certified Alcohol and Drug Counselor Intern ("CADC-I") (CADC-I No. 26541), which will expire on March 10, 2026, if the credential is not awarded.

4. During all times relevant to this matter, Respondent was employed by Stepping Stone of Wilkes ("Stepping Stone"), a provider of medication-assisted treatment for substance use disorders in North Carolina. Pinnacle Treatment Center ("Pinnacle") is the parent company of Stepping Stone.
5. On September 11, 2023, Erin Caparolie ("Caparolie"), Executive Director of Stepping Stone, filed a formal complaint with the Board, alleging Respondent falsified documentation to indicate Respondent provided clinical services when services had not been rendered, made inappropriate self-disclosures to clients, accepted gifts from client(s), and provided her personal mobile phone number to client(s). The complaint was designated by the Board as Ethics Complaint ("EC") Case No. 796-23.
6. Upon investigation into EC Case No. 796-23, the Board determined the following:
  - a. Respondent falsified clinical documentation while employed at Stepping Stone. Specifically, Respondent documented a scheduled tele-health session purported to have occurred on May 31, 2023. However, a tele-health session did not occur on the date corresponding to Respondent's counseling note.
  - b. Out of ten (10) tele-counseling sessions documented by Respondent, only one (1) full session was conducted by Respondent. The following discrepancies in Respondent's clinical notes were identified:
    - i. On May 31, 2023, Respondent was working remotely, providing clinical services via tele-health under Stepping Stone's policy that clinical calls must be facilitated through the Zoom platform.

- ii. Respondent entered an individual counseling note indicating Respondent provided clinical services to Client T.E. on May 31, 2023. Respondent's Zoom audit demonstrates a telephone call occurred during Client T.E.'s scheduled clinical session on the same day. However, the telephone number Respondent purportedly utilized to contact Client T.E. via Zoom did not correspond to a telephone number identified in Client T.E.'s profile.
- iii. Respondent entered a case management note indicating Respondent provided clinical services to Client D.C. on May 31, 2023. Respondent's Zoom audit demonstrates a telephone call occurred during Client D.C.'s scheduled clinical session on the same day. However, while Respondent documented a seven-minute telephone call with Client D.C., the Zoom audit established the call only lasted for one minute and thirty-nine seconds.
- iv. Respondent entered an individual counseling note indicating Respondent provided clinical services to Client D.D. on May 31, 2023. Respondent's Zoom audit demonstrates a telephone call occurred during Client D.D.'s scheduled clinical session on the same day. However, the Zoom audit shows the telephone call only lasted for five seconds. The telephone number Respondent purportedly utilized to contact Client D.D. via Zoom did not correspond to a telephone number identified in Client D.D.'s profile.
- v. Respondent entered an individual counseling note indicating Respondent provided clinical services to Client A.W. on May 31, 2023. However, the

Zoom audit shows no record of a telephone call with Client A.W. during this time.

- vi. Respondent entered an individual counseling note indicating Respondent provided clinical services to Client C.G.R. on May 31, 2023. Respondent's Zoom audit demonstrates a telephone call occurred during Client C.G.R.'s scheduled clinical session on the same day. However, the Zoom audit shows the telephone call only lasted for three seconds.
- vii. Respondent entered an individual counseling note indicating Respondent provided clinical services to Client C.A. on May 31, 2023. However, only two calls appeared on Respondent's Zoom audit during this time. The two telephone calls were six seconds in duration and forty seconds in duration. The telephone number Respondent purportedly utilized to contact Client C.A. via Zoom did not correspond to a telephone number identified in Client C.A.'s profile.
- viii. Respondent entered an individual counseling note indicating Respondent provided clinical services to Client M.P. on May 31, 2023. However, the Zoom audit shows no record of a telephone call made to Client M.P. during the scheduled clinical session. Respondent's notes do not indicate Respondent called Client M.P. from a different telephone number.
- ix. Respondent entered an individual counseling note indicating Respondent provided clinical services to Client A.B. on May 31, 2023. Respondent's Zoom audit demonstrates a telephone call occurred during Client A.B.'s

scheduled clinical session on the same day. However, the Zoom audit shows the telephone call only lasted for three seconds.

- x. Respondent entered an individual counseling note indicating Respondent provided clinical services to Client B.I. on May 31, 2023. Respondent's Zoom audit demonstrates a telephone call occurred during Client B.I.'s scheduled clinical session on the same day. However, the only call shown on Respondent's Zoom audit during this time was one minute and thirty-nine seconds in duration, to a telephone number not identified in Client B.I.'s profile.
- xi. Respondent entered an individual counseling note indicating Respondent provided clinical services to Client J.B. on May 31, 2023. Respondent's Zoom audit demonstrates a telephone call occurred during Client J.B.'s scheduled clinical session on the same day. However, the only calls shown on Respondent's Zoom audit during this time were one minute and thirty-nine seconds in duration, and eight minutes and twenty-two seconds in duration, to telephone numbers not identified in Client J.B. profile.
- c. On July 7, 2023, Client X informed Stepping Stone that Respondent disclosed Respondent's personal medication information to Client X and made an inappropriate self-disclosure to Client X. Respondent stated to Client X that Respondent was "worse off" than Client X.
- d. On July 12, 2023, Client Y reported to Stepping Stone that Respondent, during a clinical session with Client Y, stated "I'm not supposed to do this, but I'm so

- overwhelmed I need to talk to you about what's happening with me." Client Y also reported Respondent hugged Client Y and cried during the clinical session, which Client Y reported made her feel uncomfortable.
- e. Client Y reported to Stepping Stone that Client Y provided gifts to Respondent, including plants.
  - f. Client Z reported to Stepping Stone that she encountered Respondent during a social event, where Client Z and Respondent exchanged personal mobile telephone numbers.

#### CONCLUSIONS OF LAW

- 7. 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.
- 8. The acts and omissions of Respondent as described above constitute violations of:
  - a. N.C. Gen. Stat. §§ 90-113.44(a)(6)-(7) and (a)(9)-(10);
  - b. 21 NCAC 68 .0503(a) and (h);
  - c. 21 NCAC 68 .0509(b) and (d); and
  - d. 21 NCAC 68 .0601(2)(a), (5)(c), and (6)(a).
- 9. 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 her credentials 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 she read this entire document and understands it;

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

Whereas Respondent acknowledges that she 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 credential as a Certified Alcohol and Drug Counselor Intern (CADC-I No. 26541) from the North Carolina Addictions Specialist Professional Practice Board for a period of three (3) years.
  - 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:

HEATHER NICOLE POWELL

Heather Nicole Powell Date: 03/08/2024

By Order of the North Carolina Addictions Specialist Professional Practice Board, this the  
8<sup>th</sup> day of March, ~~2023~~ 2024

By: Nyi Myint  
Nyi Myint, Ethics Chair