



HEDRICK GARDNER
KINCHELOE GAROFALO

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April 22, 2025

Sent via USPS

Mr. Robert Scott Darby
419 Crangrook Ave SE, Apt. 19
Valdese, NC 28690

Mr. Robert Scott Darby
1720 18th Avenue NE
Hickory, NC 28601

Reply To:

CAROLYN E. DUHON
Associate
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Raleigh, NC 27612
Telephone: 984-279-3480
Email:
cduhon@hedrickgardner.com

RE: North Carolina Addictions Specialist Professional Practice Board
Ethics Committee Case No. 860-24; Consent Order

Dear Mr. Darby:

Attached for your records is a fully-executed copy of the Consent Order.

Sincerely,

Carolyn E. Duhon
Counsel for the Board

Enc.

Cc: Barden Culbreth, Senior Administrative Director, NCASPPB
Jackie Landry (jlandryns@gmail.com; Jackie.urso@yahoo.com)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
ADDICTIONS SPECIALIST
PROFESSIONAL PRACTICE BOARD
EC CASE NO. 860-24

NORTH CAROLINA ADDICTIONS
SPECIALIST PROFESSIONAL
PRACTICE BOARD,

Petitioner,

v.

ROBERT S. DARBY
(CADC No. 14646),

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 Title 21, 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 professionals 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 Catawba County, North Carolina; and is neither a minor nor an incompetent person.
3. On November 20, 2014, Respondent was registered by the Board as a Certified Alcohol and Drug Counselor ("CADC") (CADC No. 14646), which will expire on October 26, 2025, if not renewed.

4. On December 21, 2024, Melissa Wagner ("Wagner"), Area Clinical Supervisor at New Season, filed a formal complaint before the Board alleging Respondent engaged in a dual relationship with a client at Hickory Treatment Center. The complaint was designated by the Board as Ethics Complaint ("EC") Case No. 860-24.
5. Upon investigation into EC Case No. 860-24, the Board determined the following:
 - a. Hickory Treatment Center, located in Hickory, North Carolina, is a branch of New Season. During all times relevant to this matter, Respondent was employed by New Season as a Substance Abuse Counselor at the Hickory Treatment Center.
 - b. During all times relevant to this matter, Respondent provided clinical services to Client X, a client at Hickory Treatment Center. Client X was receiving methadone maintenance services at the time.
 - c. Respondent engaged in a dual relationship with Client X by dating and cohabitating with Client X for at least a six-month period.
 - d. Respondent disclosed his relationship with Client X to Wagner during supervision. Upon Wagner questioning Respondent about the relationship with Client X, Respondent reported to Wagner that Respondent was in love with Client X and that Respondent and Client X were living together and had been dating for more than six (6) months. Respondent indicated Client X had been on Respondent's caseload less than six (6) months prior and that was how Respondent and Client X met. Respondent indicated he would submit a self-report of the dual relationship to the Board. To date, a self-report was never received by the Board.
 - e. Client X subsequently terminated care at New Season.

- f. On November 8, 2024, Respondent resigned from his employment at New Season.
6. On January 11, 2025, Client X submitted a written response to the complaint, stating that she was writing in personal defense of Respondent, as she [Client X] believed she was the person he [Respondent] lost his career over. Client X reported that the relationship was “inevitable”, “there was no stopping it”, and that she would be with Respondent for the rest of her [Client X’s] life.
7. Respondent failed to report the above-referenced unethical conduct to the Board.

CONCLUSIONS OF LAW

8. Respondent is subject to the North Carolina Addictions Specialist Professional Practice Act and the rules promulgated pursuant to the 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 the following:
- a. N.C. Gen. Stat. § 90-113.44(a)(6), for engaging in an act or practice in violation of the provisions of this Article or any of the rules adopted pursuant to it;
 - b. N.C. Gen. Stat. § 90-113.44(a)(7), for the commission of an act of malpractice, gross negligence, or incompetence while serving as a substance use disorder professional, intern, or registrant;
 - c. N.C. Gen. Stat. § 90-113.44(a)(9), for engaging in conduct that could result in harm or injury to the public;

- d. N.C. Gen. Stat. § 90-113.44(a)(10), for entering into a dual relationship with Client X that impaired Respondent's professional judgment and increased the risk of exploitation of Client X;
 - e. 21 NCAC 68 .0503(a), for failing to employ his knowledge, skill and proficiencies within his scope of practice;
 - f. 21 NCAC 68 .0503(e), for failing to report known unethical conduct to the Board;
 - g. 21 NCAC 68 .0507(a), for failing to protect the safety and welfare of Client X;
 - h. 21 NCAC 68 .0509(b), for failing to avoid a dual relationship with Client X that impaired professional judgment and increased the risk of exploitation of Client X;
 - i. 21 NCAC 68 .0509(c), for engaging in sexual activity or sexual contact with a client;
 - j. 21 NCAC 68 .0509(d), for misusing his professional relationship for sexual, financial, or any other personal advantage;
 - k. 21 NCAC 68 .0601(4)(b), for participating in or soliciting sexual activity or sexual contact with a current or former client; and
 - l. 21 NCAC 68 .0601(6)(a), for failing 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.
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:

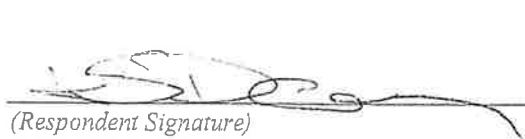
1. Respondent's Certified Alcohol and Drug Counselor (CADC No. 14646) certification before the North Carolina Addictions Specialist Professional Practice Board is hereby VOLUNTARILY SURRENDERED for a period of five (5) years, as of the effective date of this Consent Order.
2. The Board shall retain jurisdiction 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 BY:

ROBERT S. DARBY


(Respondent Signature) Date: 4/15/25
(Respondent Signature Date)

By Order of the North Carolina Addictions Specialist Professional Practice Board, this the
22nd day of April, 2025.

By: 
Kathy Allen, Ethics Chair