

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA  
ADDICTIONS SPECIALIST  
PROFESSIONAL PRACTICE BOARD  
EC CASE NO. 817-24

NORTH CAROLINA ADDICTIONS	)
SPECIALIST PROFESSIONAL	)
PRACTICE BOARD,	)
Petitioner,	)
	)
v.	)
	)
JOSEPH REID MILLER	)
(CADC-I No. 28081),	)
Respondent.	)

---

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

---

In accordance with the Administrative Procedure Act, N.C. Gen. Stat. § 150B, 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 Administrative Code, 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 the above-captioned matter.

The record reflects that a quorum of the Board was present at the hearing held on July 25, 2025, when the Board made this decision. At the hearing, Attorney Carolyn E. Duhon appeared on behalf of Board Staff. Respondent was not present at the hearing.

Before the Board issued this Final Agency Decision, 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.” No Board members stated that they had a conflict of interest or the appearance of a conflict of interest.

Kendra Davis heard the case as presiding Board Chair. Board Members Johnny Bass, Flo Stein, Anita Daniels, Lauren Quick, Stephanie Robinson, Virginia L. Johnson, and Katheryn L. Salmons heard the case. Board member Kathy Allen was not present.

### **PETITIONER’S LIST OF EXHIBITS**

Bd. Ex. 1 - 05.16.2025 Order for Summary Suspension .....	1
Bd. Ex. 2 - 05.16.2025 Notice of Hearing .....	5
Bd. Ex. 3 - 06.04.2025 Affidavit of Service for Order for Summary Suspension and Notice of Hearing .....	10
Bd. Ex. 4 - 06.30.2025 Amended Notice of Hearing .....	14
Bd. Ex. 5- 06.30.2025 Amended Order for Summary Suspension .....	19
Bd. Ex. 6 - 07.08.2025 Affidavit of Service for Amended Order for Summary Suspension and Amended Notice of Hearing .....	23
Bd. Ex. 7 - License Credential .....	27
Bd. Ex. 8 - 04.10.2024 Respondent's Self Report Car Accident .....	28
Bd. Ex. 9 - 04.10.2024 Board Request for More Information on Self Report .....	29
Bd. Ex. 10 - 05.21.2024 Counsel Letter to Respondent Requesting Additional Information and Assessment .....	30
Bd. Ex. 11 - 10.15.2024 CED letter Respondent re Request for Discharge Summaries .....	33
Bd. Ex. 12 - 03.11.2025 (Received) Undated Reference Letter from A. McDonagh re attendance at recovery meetings .....	35
Bd. Ex. 13 - CRIMINAL RECORDS .....	36
A - Orange County #20CR704177-670 Case Summary (Dispo. 12.3.2020 Plea Guilty-DWLR Impaired Rev) .....	37
B - Orange County #22CR702588-670 Case Summary (Misdemeanor Larceny) .....	40
C - Durham County #24CR263002-310 Case Summary (ID theft, DWI Voluntary Dismissals) .....	43
Durham County #24CR263002-310 Selected Documents from Court File .....	47
D - Durham County #25CR002250-310 Case Summary (Misdemeanor Larceny) .....	62
Citation .....	64
Order for Arrest .....	68
Bd. Ex. 14, 15, 16, 17, - CONFIDENTIAL ASSESSMENT REPORTS .....	70

Petitioner Board Exhibits 14, 15, 16 and 17 were entered onto the record under seal.

### **RESPONDENT’S LIST OF EXHIBITS**

Respondent was not present and did not submit any Exhibits during the course of the hearing.

### **JURISDICTION**

The North Carolina Addictions Specialist Professional Practice Board is an occupational licensing board of the State of North Carolina, organized under the provisions of N.C. Gen. Stat. § 90, Article 5C, and has jurisdiction over this matter pursuant to the provisions of N.C. Gen. Stat.

§ 90-113.33, N.C. Gen. Stat. § 150B, and the Board's duly enacted rules, as enumerated in 21 N.C. Administrative Code, Chapter 68.

### **FINDINGS OF FACT**

1. On December 29, 2023, Respondent was registered by the Board as a Certified Alcohol and Drug Counselor Intern ("CADC-I") (CADC-I No. 28081), which would expire on March 14, 2028, if not renewed. *Board Exhibit 7.*
2. On April 10, 2024, Respondent submitted a self-report ethics complaint to the Board of Respondent having been criminally charged with *IDENTITY THEFT* and *DRIVING WHILE IMPAIRED* ("DWI"). *Board Exhibit 8.* The complaint was designated by the Board as Ethics Complaint ("EC") Case No. 817-24.
3. On May 16, 2025, the Board issued an Order for Summary Suspension and a Notice of Hearing, scheduling a hearing for the above-referenced matter on July 25, 2025, at 12:00 PM or as soon thereafter as the Board may hear it. *Board Exhibits 1 and 2.*
4. On June 4, 2025, the Order for Summary Suspension and the Notice of Hearing were served on Respondent by FedEx, Adult Signature Required, Return Receipt Requested in accordance with N.C.G.S. § 150B-38(c). *Board Exhibit 3.*
5. On June 30, 2025, the Board issued an Amended Order for Summary Suspension and an Amended Notice of Hearing reflecting a new location for the hearing. *Board Exhibits 4 and 5.*
6. On July 3, 2025, the Amended Order for Summary Suspension and the Amended Notice of Hearing were served on Respondent by USPS Certified Mail, Adult Signature Required, Return Receipt Requested in accordance with N.C.G.S. § 150B-38(c). *Board Exhibit 6.*
7. The Presiding Officer convened the hearing on July 25, 2025, in person and administered before a Court Reporter. Board staff was represented by Attorney Carolyn E. Duhon, Hedrick Gardner Kincheloe and Garofalo, L.L.P. Respondent was not present and was not represented by counsel.
8. At hearing, the Board heard testimony and other evidence regarding the application of N.C. Gen. Stat. §§ 90-113.44(a)(6), 90-113.44(a)(9), 21 NCAC 68 .0503(e), and 21 NCAC 68 .0606(c)-(d).
  - a. Pursuant to N.C. Gen. Stat. § 90-113.44(a)(6), grounds for disciplinary action include engaging in any act or practice in violation of any of the provisions of N.C. Gen. Stat. § 90, Article 5C, or any of the rules adopted pursuant to it.

- b. Pursuant to N.C. Gen. Stat. § 90-113.44(a)(9), grounds for disciplinary action include engaging in conduct that could result in harm or injury to the public.
  - c. Pursuant to 21 NCAC 68 .0503(e), a substance use disorder professional who knows of unethical conduct by a substance use disorder professional shall report such violations to the Board.
  - d. Pursuant to 21 NCAC 68 .0606(c)-(d), a substance use disorder professional shall notify the Board within thirty (30) days from the date of any charges, conviction or finding of guilt, or pleading of nolo contendere for all criminal convictions, including DWI charges, arrests, and convictions, and failure to report these criminal convictions shall be considered a violation of the ethical principles of the Board.
9. Barden Culbreth (“Culbreth”), Executive Director for the Board, testified credibly as to investigating the Ethics Complaint Case, EC Case No. 817-24, alongside the Ethics Committee Chair and Board counsel, in accordance with 21 NCAC 68 .0603.
  10. Culbreth testified credibly and presented evidence as to the investigation of EC Case No. 817-24, which was initiated by requesting additional information from Respondent in relation to Respondent’s April 2024 self-report ethics complaint. Culbreth testified credibly as to the initial concerns raised in the investigation relating to impairment due to the issuance of the DWI criminal charge in March of 2024.
  11. On March 20, 2024, Respondent was criminally charged with *IDENTITY THEFT – FELONY* and *DWI – MISDEMEANOR*, resulting in Respondent’s April 10, 2024, self-report ethics complaint. *Board Exhibit 13D*.
  12. On April 10, 2024, Culbreth requested Respondent submit charging documentation and field sobriety test results in relation to the above-referenced, then-pending criminal charges, and requested a copy of Respondent’s driver’s license. *Board Exhibits 9*. Respondent failed to respond to the request.
  13. On May 21, 2024, Respondent was again asked to provide additional information or documentation pertaining to the circumstances surrounding the issuance of the criminal charges, to include charging documentation, field sobriety tests, a copy of Respondent’s driver’s license and any additional information Respondent wished to be reviewed during the investigation. Respondent was also asked to submit to an independent assessment with a Board-approved provider pertaining to substance use and fitness to practice due to impairment concerns. *Board Exhibit 10*. Respondent failed to timely respond to the request.
  14. Culbreth testified credibly that, in August of 2024, Respondent returned contact, reporting his nonresponse since April of 2024 was due to a mental health breakdown. Respondent reported participation in related treatment in June and July of 2024 and communicated his

intent to submit to the above-referenced independent assessment request from May of 2024.

15. On August 19, 2024, Respondent completed an independent assessment with clinician Phyllis Barnette (“Barnette”). Culbreth testified credibly as to additional impairment and fitness to practice concerns raised in reviewing the associated Assessment Report, which detailed [REDACTED]

[REDACTED]. Board Exhibit 14.

16. On September 12, 2024, the above referenced criminal charges were voluntarily dismissed. Board Exhibit 13D.

17. On October 15, 2024, the Board issued a letter requesting Respondent submit documentation pertaining to his treatment [REDACTED] in June and July of 2024. Board Exhibit 11. Respondent provided documentation from both [REDACTED]. Board Exhibits 15 and 16.

18. Culbreth testified credibly as to concerns raised in reviewing the documentation from [REDACTED] and [REDACTED], which demonstrate the following:

- a. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Board Exhibit 16.

- b. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] Board Exhibit 15.

19. Culbreth testified credibly as to concerns held by the Ethics Committee Chair at this point in the investigation relating to the disparities between Barnette’s Assessment Report and the information in the [REDACTED] from [REDACTED]. Culbreth testified credibly as to the decision to request confirmation from Respondent that Respondent completed the recommendations provided in the [REDACTED]

██████████. This included ██████████  
██████████.

20. Respondent provided a letter from ██████████ dated March 18, 2025, detailing ██████████. *Board Exhibit 17*. Respondent also provided an undated letter from a peer who reportedly participated in ██████████ and Meditation meetings with Respondent on unspecified dates. *Board Exhibit 12*.
21. Culbreth testified credibly that, as the investigation drew to a close, it was discovered that Respondent had received another criminal charge which was never reported to the Board.
  - a. On March 8, 2025, Respondent was criminally charged with *MISDEMEANOR LARCENY*. The corresponding case was heard in Durham County District Court, court file no. 2025 CR 002250-310. On May 8, 2025, an Order for Arrest was issued against Respondent for *FAILURE TO APPEAR – CRIMINAL SUMMONS OR CITATION*, for failing to appear in court in relation to the above-referenced *MISDEMEANOR LARCENY* charge. *Board Exhibit 13D*.
  - b. Respondent failed to report the issuance of the above-referenced *MISDEMEANOR LARCENY* charge to the Board.
22. Culbreth testified credibly as to the decision to issue an Order for Summary Suspension and a Notice of Hearing scheduling a disciplinary hearing in EC Case No. 817-24, due to the new unreported criminal charge.
23. In considering N.C. Gen. Stat. § 90-113.44(a)(6), the Board considered the above-referenced evidence presented as to Respondent's unreported impairment, Respondent's pending, unreported criminal charge and Respondent's failure to timely respond to the Board, finding Respondent engaged in acts or practices in violation of the provisions of Article 5C and the rules adopted pursuant to it, as described above.
24. In considering N.C. Gen. Stat. § 90-113.44(a)(9), the Board considered the above-referenced evidence presented regarding Respondent's unreported impairment and Respondent's pending, unreported criminal charge, finding Respondent engaged in conduct that could result in harm or injury to the public, as described above.
25. In considering 21 NCAC 68 .0503(e), the Board considered the above-referenced evidence presented regarding Respondent's unreported impairment and unreported criminal charge, finding Respondent failed to report known unethical conduct to the Board.
26. In considering 21 NCAC 68 .0606(c)-(d), the Board considered the above-referenced evidence presented regarding Respondent's failure to report the issuance of the above-referenced criminal charge to the Board within thirty (30) days, finding Respondent failed

to notify the Board within thirty (30) days of the date of the issuance of the above-referenced MISDEMEANOR LARCENY criminal charge and FAILURE TO APPEAR.

### **CONCLUSIONS OF LAW**

1. Respondent is subject to the Administrative Procedure Act, N.C. Gen. Stat. § 150B, 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 21 N.C. Administrative Code, Chapter 68.
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. To the extent that the Findings of Fact contain conclusions of law, or that the Conclusions of Law are findings of fact, they should be so considered without regard to their given labels. Charlotte v. Heath, 226 N.C. 750, 755, 40 S.E.2d 600, 604 (1946); Peters v. Pennington, 210 N.C. App. 1, 15, 707 S.E.2d 724, 735 (2011).
5. The Board concludes that the acts and omissions of Respondent described in Findings of Fact Nos. 10-20 violate the following statutes and rules governed by the Board:
  - 1) N.C. Gen. Stat. § 90-113.44(a)(6);
  - 2) N.C. Gen. Stat. § 90-113.44(a)(9);
  - 3) 21 NCAC 68 .0503(e); and
  - 4) 21 NCAC 68 .0606(c)-(d).
6. Pursuant to N.C. Gen. Stat. §§ 90-113.33(2) and 90-113.44(a), the Board has the authority to issue, renew, deny, suspend, or revoke licensure, certification, or registration to practice in this State or reprimand or otherwise discipline a license, certificate, or registration holder in this State.

### **FINAL AGENCY DECISION**

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

- I. Respondent's credentialing and registration before the Board as a CADC-I (CADC-I No. 28081) is hereby **REVOKED**.

- II. This Final Agency Decision shall take effect upon service of Respondent in a manner consistent with N.C. Gen. Stat. § 150B-42(a).
- III. 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.

### **NOTICE**

This Final Agency Decision is issued under the authority of N.C. Gen. Stat. §150B-42. Pursuant to N.C. Gen. Stat. §150B-45, any party wishing to appeal this Final Agency Decision may commence such appeal by filing a Petition for Judicial Review in the Superior Court of the county in which the party resides. The party seeking review must file the Petition within 30 days after being served with a written copy of this Final Agency Decision.

N.C. Gen. Stat. § 150B-46 describes the contents of the Petition and requires service of the Petition on all parties. N.C. Gen. Stat. §150B-47 requires the Board to file the official record in the contested case with the reviewing court within 30 days of receipt of the Petition.

This, the 14th day of August 2025.

By: Dr. Kendra T. Davis  
Kendra Davis, Presiding 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 USPS, postage prepaid, and by electronic mail delivery, addressed as follows:

Joseph Reid Miller  
2442 Alpine Rd.  
Durham, NC 27707

*Respondent*

**COURTESY COPY:**  
cleangodzilla@gmail.com

This, the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

**HEDRICK, GARDNER, KINCHELOE &  
GAROFALO, LLP**

---

Catherine E. Lee, NC State Bar #35375  
Carolyn E. Duhon, NC State Bar #60027  
2710 Wycliff Road, Suite 220  
Raleigh, NC 27607

Phone: 919-341-2639 (C. Lee)  
984-279-3480 (C. Duhon)

Fax: 919-832-9425

Email: clee@hedrickgardner.com  
cduhon@hedrickgardner.com

*Attorneys for Petitioner* NORTH CAROLINA  
ADDICTIONS SPECIALIST PROFESSIONAL  
PRACTICE BOARD