

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF LICENSED PROFESSIONAL COUNSELORS
CASE NO. 2022-LPC-00044

KENTUCKY BOARD OF LICENSED
PROFESSIONAL COUNSELORS

PETITIONER

v.

KEARA RENEE JONES,
LPCA License No. 270743

RESPONDENT

AGREED ORDER

The Kentucky Board of Licensed Professional Counselors (the "Board"), and Keara Renee Jones, LPCA, License Number 270743, ("Respondent") hereby agree as follows:

1. On September 20, 2022, the Board received Complaint No. 2022-LPC-00044 from Choices Counseling, LPPC. The complainant made allegations relating to the Respondent's failure to maintain documentation necessary for rendering professional services, abandonment of multiple clients, and not being properly monitored by the Board approved supervisor.
2. The Board notified respondent of the complaint by letter. Thereafter, Respondent submitted a response to the complaint wherein she made certain assertions relative to the employment situation raising some questions for the Board and acknowledged she did not provide notice of termination to her clients and did not assist her clients in obtaining other therapeutic services or otherwise make arrangements for the continuation of

treatment because she didn't have clients scheduled the day of her resignation due to being on administrative leave.

3. The Board also presented questions to both the complainant and the Respondent to gather more information surrounding the Respondent's administrative leave, the circumstances relative to an audit, the client's notification during the administrative leave and client notification, and the Respondent's case load, among other things. The complainant advised the Board the Respondent was placed on administrative *duty*, not administrative *leave* as was reported by Respondent, during which time the Respondent was not to see clients until the Respondent completed all necessary documentation for professional services. Complainant reported a potential boundary violation regarding an off-site session with a client in violation of company policy and provided proof of ongoing communication relating to the administrative duty, performance improvement in necessary documentation and boundaries. The Respondent answers lead the Board to believe the Respondent did not understand the difference between administrative duty and administrative leave but does make references to working in the office on notes in a non-HIPPA complaint area during this period, leaving the Board to believe the Respondent was an administrative duty and not-leave.

4. Based on the Respondent's response, at its regularly scheduled meeting of December 16, 2022, the Board voted the matter warranted a formal complaint with an offer of informal settlement in lieu of referral for an investigation into the allegations in the complaint, as authorized by KRS 335.540(4) and 201 KAR 36:050. Section 4. Settlement by Informal Proceedings. which may be entered into at any time during the complaint management process.

5. The Board has determined that disciplinary action under the following statutes and regulations to be appropriate: KRS 335.540(1)(g); 201 KAR 36:040 Section 1 (1)(a), (b) and (c), 201 KAR 36:040 Section 1 (2) (b), (g) and (h), and 201 KAR 36:040 Section 2 (1), (2) and (19). Respondent agrees the Board may take disciplinary action against her for the above-described violations.

6. Respondent recognizes that if this matter was to proceed to an Administrative Hearing, there may exist sufficient evidence to sustain a disciplinary action against her. The Board and Respondent nevertheless desire to settle this matter in an expeditious manner without resorting to an administrative hearing, as is authorized by 201 KAR 36:050. Section 4.

7. Instead of pursuing a disciplinary hearing, the parties have mutually decided to resolve any potential disciplinary action through an informal settlement, authorized by means of this Agreed Order.

The Board and Respondent now therefore agree to this Agreed Order, which resolves Complaint No. 2022-LPC-00044 on the following terms and conditions:

8. Respondent shall execute and return a copy of this Agreed Order to the Board within thirty (30) days of receipt of the Agreed Order or it shall be null and void, and the Board may institute further disciplinary action.

9. The Board offers the following disciplinary sanctions, which are hereby agreed to by the Respondent, as follows:

- a. The Respondent shall be required to extend her supervision to 150 hours, with the supervisor to report quarterly on the Respondent's progress in relation to documentation, ethics, boundaries, and terminating clients and abandonment issues.

- b. The Respondent shall obtain three (3) hours of continuing education (CE) which includes abandonment and termination procedures, if available, within six (6) months of entry of this Agreed Order by the Board.
 - c. The Respondent shall be responsible for any costs associated with continuing education, supervision and reports that are not covered by any place of employment.
10. Respondent agrees to commit no violations of statutes and regulations governing her license to practice as a Licensed Professional Counselor Associate.
11. Respondent acknowledges the seriousness of the allegations contained within Complaint No. 2022-LPC-00044 and agrees that the allegations contained in the complaint may be a violation of the Code of Ethics.
12. Respondent understands that by signing this Agreed Order she has waived her hearing rights, which specifically include any right to a hearing, including the right to be present with counsel, to subpoena witnesses and to confront those against her, and the right to appeal the Board's decision as entered in this Agreed Order and the full panoply of rights of hearing and appeal related to her mandatory certificate and as authorized by statute, regulation, and court decision.
13. Respondent acknowledges that this Agreed Order, after her execution of same, shall be presented to the Board with a recommendation for approval from the Board's Counsel at the next regularly scheduled meeting of the Board following receipt of the executed agreement.
14. The Agreed Order shall not become effective until it has been approved by the Board and endorsed by the Chair of the Board.

15. Respondent understands the Board is under no obligation to accept or reject this Agreed Order, and hereby waives any right she may have had to challenge, based upon the presentation of this Agreed Order to the Board, the impartiality of the Board to hear an administrative action if this Agreed Order is rejected.

16. If this Agreed Order is rejected by the Board, it shall be regarded as null and void, and of no effect. No statement or term contained in this Agreed Order will be regarded as evidence in any subsequent disciplinary hearing, nor shall any inference be taken from Respondent's willingness to enter into this Agreed Order.

17. Upon approval of this Agreed Order by the Board, the Board shall dismiss Complaint No. 2022-LPC-00044. Any violation by Respondent of the terms of this agreement shall be grounds for further action by the Board, including but not limited to the reopening of this complaint.

18. Respondent recognizes that if this matter was to proceed to an Administrative Hearing, there may exist sufficient evidence to sustain a disciplinary action against her. Respondent nevertheless desires to settle this matter in an expeditious manner without resorting to an administrative hearing, as is authorized by 201 KAR 36:050. Section 4.

19. Respondent acknowledges that at all times she has had the opportunity to obtain legal counsel of her choosing.

20. Respondent acknowledges, once adopted by the Board, this Agreed Order is considered a public document, available for inspection at any time by any member of the public under the Kentucky Open Records Act. Further, Respondent understands the Board is free to make any use it deems appropriate of the contents of this Agreed Order, which shall include the Board's ability to share the content of this Agreed Order with any

governmental or professional board or organization, publication of a summary in the Board's newsletter, reporting under federal law, and availability via the Board's web site.

21. All parties and their undersigned representatives warrant and represent that they have the requisite power and authority to enter into this Agreed Order and to effectuate the purposes herein, and that this Agreed Order shall be legally binding and enforceable against each party in accordance with terms of the Agreed Order.

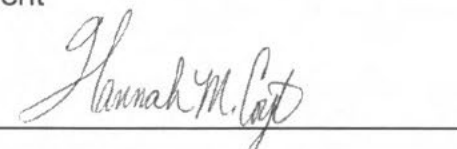
22. This Agreed Order shall be governed in all respects by the laws of the Commonwealth of Kentucky. Any disputes arising under this Agreed Order shall be resolved in the Circuit Court of Franklin County, Kentucky; the parties' consent and agree to the *in personam* jurisdiction of such Court.

23. This Agreed Order may not be modified except by a written agreement executed by all parties.

HAVE SEEN AND AGREED:


Keara Jones, LPCA, License # 270743
Respondent

2/28/2023
Date


Chair
Kentucky Board of Licensed
Professional Counselors

3/17/2023
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Agreed Order was mailed this 21 day of March 2023 by electronic mail, and by regular first-class mail and to:

Keara Jones


Respondent

And via electronic mail to:

Sara Boswell Janes, Staff Attorney III
Department of Professional Licensing
Public Protection Cabinet

500 Mero Street
Frankfort, Kentucky 40601

Sara.janes@ky.gov
Board Counsel

A handwritten signature in black ink, appearing to be 'Sara Janes', written over a horizontal line.

Board Administrator