

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF LICENSED PROFESSIONAL COUNSELORS
CASE NO. 2022-LPC-00050

KENTUCKY BOARD OF LICENSED
PROFESSIONAL COUNSELORS

PETITIONER

v.

TARA ANDERSON,
LPCA, License No. 261472

RESPONDENT

AGREED ORDER

The Kentucky Board of Licensed Professional Counselors (the "Board"), and Tara Anderson, LPCA, License Number 261472, ("Respondent") hereby agree as follows:

1. On October 24, 2022, the Board received Complaint No. 2022-LPC-00050 from Kelly S. Mitchell ("Mitchell") who was the Respondent's supervisor. Mitchell states in the complaint that Respondent terminated employment and abandoned clients without notice or explanation.

2. Respondent submitted a response to the complaint received by the Board on October 29, 2022. In the response, Respondent admits that she was offered a new job to start immediately, and she intended to work out a notice but failed to do so due to the time required for Board approval to obtain a new supervisor.

3. Based on the Respondent's admission to the allegations in the complaint, at its regularly scheduled meeting of December 16, 2022, the Board voted to offer an 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) and (b), 201 KAR 36:040 Section 1 (2)(g) and (h), and 201 KAR 36:040 Section 2(19). Respondent agrees the Board may take disciplinary action against her for the above-described violations.

6. 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-00050 on the following terms and conditions:

7. 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.

8. The Board is appreciative of the Respondent's honesty and offers the following disciplinary sanctions, which are hereby agreed to by the Respondent, as follows:

- a. The Respondent shall complete six (6) hours of continuing education in an ethics program offered by one of the following: the National Board for Certified Counselors, the American Counseling Association, or the Kentucky Counseling Association, which includes training on abandonment of clients.
- b. The Respondent must show proof of completion to the Board within six (6) months of entry into this Agreed Order.

c. The Respondent must provide notice of the complaint and this Agreed Order to her current Board-approved supervisor, with proof of said notice to the Board.

9. Respondent agrees to commit no violations of statutes and regulations governing her license to practice as a Licensed Professional Counselor Associate.

10. Respondent acknowledges the seriousness of the allegations contained within Complaint No. 2022-LPC-00050 and agrees that the allegations of abandonment of clients contained therein are a violation of the Code of Ethics.

11. 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.

12. 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.

13. The Agreed Order shall not become effective until it has been approved by the Board and endorsed by the Chair of the Board.

14. 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.

15. 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.

13. Upon approval of this Agreed Order by the Board, the Board shall dismiss Complaint No. 2022-LPC-00050. 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.

14. 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.

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

16. 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.


17. 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

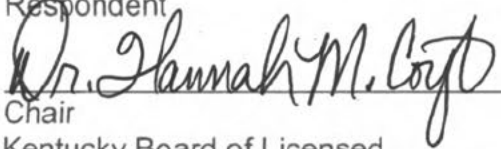
effectuate the purposes herein, and that this Agreed Order shall be legally binding and enforceable against each party in accordance with terms of the Agreed Order.

18. 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.

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

HAVE SEEN AND AGREED:



Tara Anderson, LPCA, License # 261472
Respondent


Chair
Kentucky Board of Licensed
Professional Counselors

3/16/2023

Date
4-21-23

Date

CERTIFICATE OF SERVICE

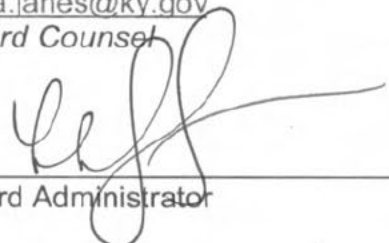
I hereby certify that a copy of the Agreed Order was mailed this 3rd day of February 2023 by electronic mail, and by regular first-class mail and to:

Tara Anderson

Respondent

Sara Boswell Janes, Staff Attorney III
Department of Professional Licensing
Public Protection Cabinet
Office of Legal Services
500 Mero Street
Frankfort, Kentucky 40601
Sara.janes@ky.gov
Board Counsel

And via electronic mail to:



Board Administrator