

**Louisiana Licensed Professional
Counselors Board of Examiners**

IN THE MATTER OF

COMPLAINT NUMBER 11/12-46

AMY MALONE

REGISTRATION NO. CI5173

CONSENT AGREEMENT AND ORDER

WHEREAS, Amy Malone is a registered Counselor Intern (CI) subject to the jurisdiction and rules and regulations of the Louisiana Mental Health Counselor Licensing Act (La. R.S. 37:1101, *et seq.*), the Code of Conduct for Licensed Professional Counselors (LAC 46:LX §2101, *et seq.*), and the rules regarding disciplinary proceedings (LAC 46:LX § 1301-1325); and

WHEREAS, pursuant to a complaint, and a subsequent administrative investigation Amy Malone, has indicated her desire to resolve this matter through a Consent Agreement and Order as provided for in LAC 46:LX § 1311, LAC 46:LX § 3907, and La. R.S. 49:955(D) of the Louisiana Administrative Procedure Act; and

WHEREAS, Amy Malone, CI, has admitted the following:

1. Ms. Malone is a Counselor Intern registered with the LPC Board to engage in the practice of mental health counseling and to use the title of "Counselor Intern" in the State of Louisiana, as evidenced by registration with the LPC Board. CI Registration No. CI5173.

2. It has been discovered by the Board that Ms. Malone practiced mental health counseling prior to registering with the Board.
3. Ms. Malone inappropriately practiced mental health counseling prior to registration with the Board, in violation of La. R.S. 37:1111, which states: "No person shall ... engage in the practice of mental health counseling unless he has in his possession a valid license issued by the [LPC] board...."¹

WHEREAS, Ms. Malone has indicated her desire to resolve this matter through a Consent Agreement and Order;

WHEREAS, the undersigned Assistant Attorney General has conducted an interview with Ms. Malone who has indicated her desire to resolve this matter through a Consent Agreement and Order;

IT IS HEREBY ORDERED that in consideration of the foregoing and pursuant to the authority vested in the LPC Board by La. R.S. 49:955(D), the Board orders and Ms. Malone accepts the following administrative action which is a final decision pursuant to La. R.S. 49:958:

1. Within six (6) months from the date all parties sign this Consent Agreement and Order, Ms. Malone shall pay a fine of \$500.00 as authorized by La. R.S. 37:1106(D).
2. Within one (1) year from the date all parties sign this Consent Agreement and Order, Ms. Malone shall complete six (6) continuing education hours (CEH) on the subject of Ethics.

¹ See also La. R.S. 37:1103(7).

3. Within six (6) months from the date of all parties sign this Consent Agreement and Order, Ms. Malone shall pay the investigative and legal costs associated with Complaint CI 11/12-46 in the amount of \$ 360.00.
4. By agreeing to the terms of this Consent Agreement and Order, the Ms. Malone waives all rights to appeal this adjudication.
5. Ms. Malone specifically acknowledges that failure to comply with the terms of the Consent Agreement and Order may result in further disciplinary action taken by the LPC Board. The admissions contained herein, will be considered proven and the only issue will be failure to follow the terms of this Consent Agreement and Order.

THIS CONSENT AGREEMENT AND ORDER shall take effect immediately upon the adoption of the Board and is a matter of public record for violation of the above referenced sections of the Louisiana Mental Health Counselors Licensing Act (La. R.S. 37:1101 *et seq.*) and the Rules, Standards, and Procedures (LAC Title 46, Part LX, § 101 *et seq.*). The terms of this Consent Agreement and Order shall be published and reported including but not limited to, the Board's website, the National Board for Certified Counselors, and the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank (NPDB-HIPDB).

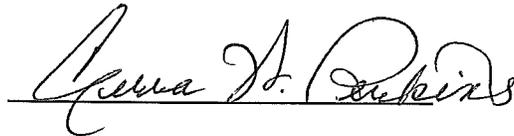
THE ADMISSIONS AND FINDINGS CONTAINED HEREIN are intended solely for the purpose of resolving the case at hand or in connection with other matters before the LPC Board involving Respondent.

ORDER

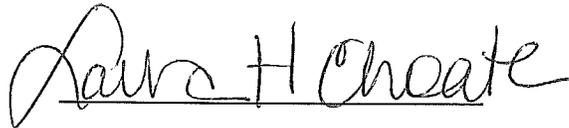
The Louisiana Licensed Professional Counselors Board of Examiners, having examined the Consent Agreement and Order, Case No. CI 11/12-46, adopt the Consent Agreement and Order in this matter on Sept. 19, 2014.

DATED this 19th day of Sept., 2014, at Baton Rouge, Louisiana.

LOUISIANA LICENSED PROFESSIONAL COUNSELORS BOARD
OF EXAMINERS



Gerra W. Perkins, Ph.D, LPC-S, Board Chair



Laura H. Choate, Ed.D., LPC-S, Board Vice Chair

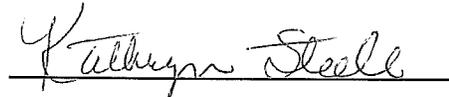


Penny Millhollon, MA, LPC, LMFT, Board Secretary

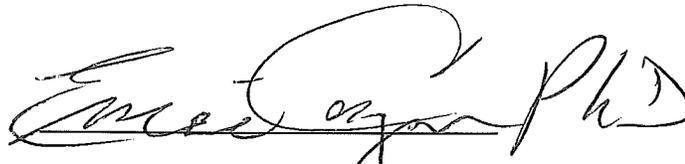


Jennifer Thomas, M.Ed, LPC-S, LMFT-S, Board Member


Kathy Lammert, MA, LPC, LMFT, Board Member


Kathryn Steele, Ph.D., LPC-S, LMFT-S, MFTAC, Board Member

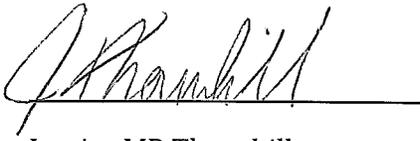
David Legendre, Ph.D., LPC, LMFT, MFTAC, Board Member


Ernie Cowger, Ph.D., LPC-S, LMFT, Board Member

Earl Augustine, Member-at-Large, Board Member


Jacqueline Mims EdD, PhD

I, Jessica MP Thornhill, Assistant Attorney General serving as Prosecutor, do hereby acknowledge negotiation and preparation of this Consent Agreement and Order in order to resolve, with prejudice, all matters for which the Counselor Intern, Malone, could be charged under CI 11/12-46; and further certify that this Consent Agreement and Order is consistent with the evidence, adequately addresses the complaint and represents a true and correct statement of that which could be proven at a hearing of this matter.



Jessica MP Thornhill

Assistant Attorney General

9/15/14

Date

I, Amy Malone, registered Counselor Intern, make these acknowledgments and waivers in support of a final disposition of the pending investigation of CI 11/12-46 by Consent Agreement and Order ("Order") pursuant to La. R.S. 49:955(D), in lieu of the institution and prosecution of formal administrative proceedings, and accordingly consent to the entirety of the Order set forth hereinbefore and further waive any right to which I may be entitled under the Louisiana Administrative Procedure Act or any other law to contest, in any court, my agreement to this Order. By my subscription hereto, I also hereby authorize the Assistant Attorney General to present this Order to the LPC Board for its consideration and to disclose to and discuss with the LPC Board the nature and results of the investigation of this matter. I herein waive any objection to such disclosure based on due process of law under either the State or Federal Constitution or under State statutory law, including La. R.S. 49:960. I expressly acknowledge that the disclosure of such information to the LPC Board shall be without prejudice to the Assistant Attorney General's authority to file a formal Administrative Complaint, or the LPC Board's capacity to adjudicate such Administrative Complaint, should the LPC Board decline to approve this Consent Agreement and Order. I further acknowledge my awareness that should the LPC Board approve this Consent Agreement and Order that the Order will become a matter of public record.

Amy Malone
LA DLXXXX 9231
C15173, CI

9/15/14
Date

I, Amy Malone, Counselor Intern, have read the Consent Agreement and Order, understand it, and agree to be bound by its terms and conditions.

DATED: 9/15/14

Amy Malone
LA DLXXXX 9231
CI NAME

SUBSCRIBED AND SWORN TO before me this 15th day of Sept, 2014, at Ba Kev, Louisiana.



OFFICIAL SEAL
DEBRA B. KEMP
NOTARY ID # 77536
STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE
My Commission is for Life

Debra B. Kemp

Notary Public #177536

Print Name: Debra B. Kemp

My commission expires: for life