

**Louisiana Licensed Professional  
Counselors Board of Examiners**

**IN THE MATTER OF**

**COMPLAINT NUMBER 12/13-88**

**MICHAEL R. HAMILTON, MFT Intern**

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**CONSENT AGREEMENT AND ORDER**

**WHEREAS**, Michael R. Hamilton is a registered Marriage and Family Therapy Intern (MFT Intern) subject to the jurisdiction and rules and regulations of the Louisiana Mental Health Counselor Licensing Act (La. R.S. 37:1101, *et seq.*), and the Licensed Professional Counselors Board of Examiners Rules and Regulations (LAC 46:LX §101, *et seq.*).

**WHEREAS**, pursuant to a complaint, and a subsequent administrative investigation Michael R. Hamilton, has indicated his 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**, Michael R. Hamilton, MFT Intern, has admitted the following:

1. Mr. Hamilton is a MFT Intern registered with the LPC Board to engage in the practice of mental health counseling and to use the title of "MFT Intern" and in the State of Louisiana, as evidenced by registration with the LPC Board.
2. Mr. Hamilton, a MFT Intern, practiced without an active supervision from September of 2007 through December of 2012 (>5 years).

3. Mr. Hamilton, a MFT Intern, practiced mental health counseling prior to registering with the LPC Board from December of 2006 through April of 2007 (4 months).
4. Mr. Hamilton 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...."<sup>1</sup>
5. Mr. Hamilton inappropriately practiced mental health counseling without active supervision, in violation of LAC 46:LX § 3319 (5)(a), responsibilities of the MFT Intern, which states:

The MFT intern is responsible to meet with the approved supervisor(s) with a regularity, frequency, and manner prescribed by the board-approved plan of supervision. The intern shall inform the board in writing within 30 days in accordance with advisory committee policy in the event that the intern's supervisor becomes unwilling or unable to fulfill his or her responsibility to the intern.

**WHEREAS**, Mr. Hamilton has indicated his desire to resolve this matter through a Consent Agreement and Order;

**WHEREAS**, the undersigned Assistant Attorney General has conducted an interview with Mr. Hamilton who has indicated his 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 Mr. Hamilton

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<sup>1</sup> See also La. R.S. 37:1103(7).

accepts the following administrative action which is a final decision pursuant to La. R.S. 49:958:

1. Within one (1) year from the date all parties sign this Consent Agreement and Order, Mr. Hamilton shall pay a fine of \$ 500.00 as authorized by La. R.S. 37:1106(D). The payments shall be made on a quarterly basis.<sup>2</sup> There shall be no pre-payment penalty.
2. Within one (1) year from the date all parties sign this Consent Agreement and Order, Mr. Hamilton shall complete nine (9) continuing education hours (CEH) on the subject of Ethics.
3. Within one (1) year from the date of all parties sign this Consent Agreement and Order, Mr. Hamilton shall pay the legal costs associated with Complaint MFTI 12/13-88 in the amount of \$ 360.00. The payments shall be made on a quarterly basis.<sup>3</sup> There shall be no pre-payment penalty.
4. By agreeing to the terms of this Consent Agreement and Order, the Mr. Hamilton waives all rights to appeal this adjudication.
5. Mr. Hamilton 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

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<sup>2</sup> Payments are due October 31, 2014; January 31, 2015; April 30, 2015; the final payment is due no later than July 18, 2015. There is no set amount that is required to be paid on these due dates. But some amount of money must be paid by each of these dates until the final amount is paid.

<sup>3</sup> *Id.*

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.

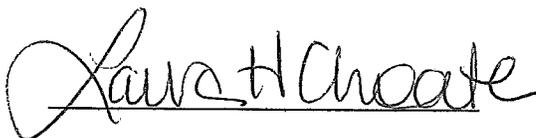
**ORDER**

The Louisiana Licensed Professional Counselors Board of Examiners, having examined the Consent Agreement and Order, Case No. MFTI 12/13-88, adopt the Consent Agreement and Order in this matter on July 18, 2014.

DATED this 18<sup>th</sup> day of July, 2014, at Baton Rouge, Louisiana.

LOUISIANA LICENSED PROFESSIONAL COUNSELORS BOARD  
OF EXAMINERS

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



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

Penny Millhollon

Penny Millhollon, MA, LPC, LMFT, Secretary

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Jacqueline Mims, Ph.D., LPC-S, Board Member

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Mark Reynaud, MA, LPC, LMFT, Board Member

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

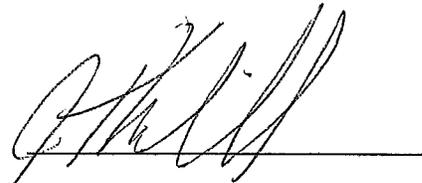
David Legendre

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

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

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

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 Marriage and Family Therapist Intern, Hamilton, could be charged under MFTI 12/13-88; 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

6/10/14

Date

I, Michael R. Hamilton registered Marriage and Family Therapist Intern, make these acknowledgments and waivers in support of a final disposition of the pending investigation of MFTI 12/13-88 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.

Michael R. Hamilton      6/2/2014

Michael Hamilton, MFT Intern

Date

THE UNDERSIGNED NOTARY APPEARS ONLY  
AS A CONVENIENCE TO THE PARTIES AND  
DID NOT PARTICIPATE IN THE PREPARATION  
OF THIS DOCUMENT

STATE OF LOUISIANA  
PARISH OF ST. JAMES

Before me, the undersigned Notary Public personally came and appeared Michael R. Hamilton who, after being duly sworn did depose and state that all of the statements of fact contained in the foregoing instrument are true and correct to the best of their knowledge, information, and belief.

Michael R. Hamilton  
AFFIANT

[Signature]  
NOTARY PUBLIC

Robert J. Snyder, Jr.  
Bar Roll # 26722

I, Michael R. Hamilton Marriage and Family Therapist Intern have read the Consent Agreement and Order, understand it, and agree to be bound by its terms and conditions.

DATED: 6/2/2014

Michael R. Hamilton

MFT Intern NAME

SUBSCRIBED AND SWORN TO before me this 26<sup>th</sup> day of June, 2014, at \_\_\_\_\_, Louisiana.

See page #17

Notary Public

Print Name:

My commission expires: