

**Louisiana Licensed Professional
Counselors Board of Examiners**

IN THE MATTER OF

COMPLAINT NUMBER 12/13-90

TOMICA HENDERSON, CI

CONSENT AGREEMENT AND ORDER

WHEREAS, Tomica Henderson 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.*), 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 Tomica Henderson, 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, Tomica Henderson, CI, has admitted the following:

1. Ms. Henderson 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.
2. It has been discovered that Ms. Henderson, a Counselor Intern, practiced without an active supervision from January 2011 to January 2013 (2 years). In Ms.

Henderson's letter to the Board she admits she was not under active supervision during this time.

3. Ms. Henderson inappropriately practiced mental health counseling without active supervision, in violation of LAC 46:LX § 705(A)(2), which states: "an applicant for license must document a minimum of 3,000 hours of postmaster's experience in professional mental health counseling under the clinical supervision of a board-approved supervisor.... A supervisee must remain under supervision of a board-approved supervisor until receiving written notification of approval for licensure."
4. Ms. Henderson admits that the allowance for her to conduct counseling as an MHP within the Louisiana Medicaid guidelines does not exempt her from the practice requirements of the LPC Board, which require her to practice mental health counseling under active supervision.

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

1. Within three (3) months from the date all parties sign this Consent Agreement

and Order, Ms. Henderson 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. Henderson shall complete three (3) continuing education hours (CEH) on the subject of Ethics.
3. Within 90 days from the date of all parties sign this Consent Agreement and Order, Ms. Henderson shall pay the legal costs associated with Complaint CI 12/13-90 in the amount of \$ 360.00.
4. By agreeing to the terms of this Consent Agreement and Order, the Ms. Henderson waives all rights to appeal this adjudication.
5. Ms. Henderson 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 12/13-90, adopt the Consent Agreement and Order in this matter on 7/18, 2014.

DATED this 18th day of July, 2014, at Baton Rouge, Louisiana.

LOUISIANA LICENSED PROFESSIONAL COUNSELORS BOARD
OF EXAMINERS

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

Laura H Choate

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

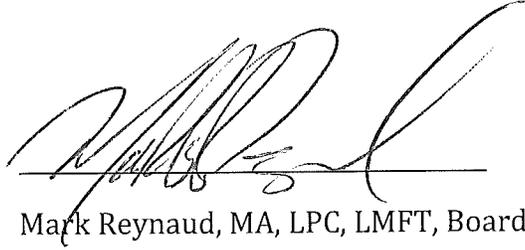
Penny Millhollon

Penny Millhollon, MA, LPC, LMFT, Secretary

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



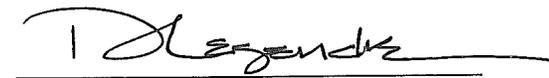
Kathy Lammert, MA, LPC, LMFT, Board Member



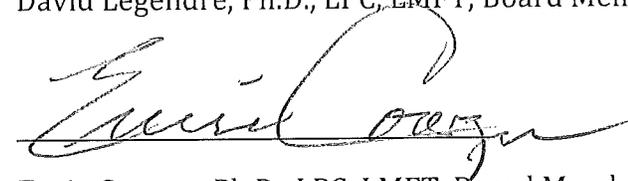
Mark Reynaud, MA, LPC, LMFT, Board Member



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

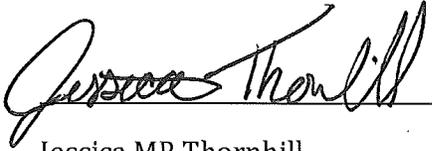


David Legendre, Ph.D., LPC, LMFT, Board Member



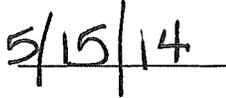
Ernie Cowger, Ph.D., LPC, LMFT, Board Member

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 Counselor Intern, Ms. Henderson could be charged under CI 12/13-90; 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



Date

I, _____, registered Counselor Intern, make these acknowledgments and waivers in support of a final disposition of the pending investigation of CI 12/13-90 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.

Tomica Henderson

5-12-14

Tomica Henderson, CI

Date

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

DATED: 5-13-14

Tomica Henderson
Tomica Henderson
CI NAME

SUBSCRIBED AND SWORN TO before me this 13 day of May, 2014, at Jennings, Louisiana.

Suzette M Prejean

Notary Public

Print Name: Suzette M Prejean
53956

My commission expires: At My Death