

LOUISIANA LICENSED PROFESSIONAL
COUNSELORS BOARD OF EXAMINERS

IN THE MATTER OF

ADMINISTRATIVE COMPLAINT

CHRISTOPHER K. HAY, LPC, LMFT

LPC No. 2338; LMFT No. MFT226

CONSENT AGREEMENT AND ORDER

WHEREAS, Christopher K. Hay (“Mr. Hay”) is a Licensed Professional Counselor (LPC), and Licensed Marriage and Family Therapist (LMFT) 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.*), Professional Standards for Licensed Marriage and Family Therapists (LAC 46:LX §2701, *et seq.*) and the rules regarding disciplinary proceedings (LAC 46:LX § 1301-1325); and

WHEREAS, pursuant to a complaint, and a subsequent administrative investigation, the LPC, and LMFT, Mr. Hay, 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, the LPC, and LMFT, Mr. Hay, has admitted the following:

1. Mr. Hay is and at all times pertinent to the facts and matters alleged herein a Licensed Professional Counselor, and Licensed Marriage and Family Therapist, licensed by the LPC Board to engage in the practice of mental health counseling in the State of Louisiana, as evidenced by LPC No. 2338 and LMFT No. MFT226.
2. At all times pertinent to the facts of this case, Mr. Hay was the complainant’s counselor.
3. Mr. Hay has admitted that he made inappropriate sexual comments and disclosed personal and inappropriate information about himself to the complainant during multiple counseling sessions with her in violation of LPC Rules, Chapter 21, Code of Conduct for Licensed Professional Counselors, §§ 2103 (A)(1), 2103(A)(5) and 2107(A)(6)(a) as well as the LMFT Rules, Chapter 47, Code of Conduct for Licensed Family Marriage Therapists, §§ 4705(D) and 4705(H).

4. Mr. Hay has admitted that he inappropriately touched his client, the complainant, in a sexual manner during her counseling session on or about June 10, 2013 in violation of La. R.S. 37:1110, LPC Rules, Chapter 21, Code of Conduct for Licensed Professional Counselors, §§ 2103 (A)(4), 2103(A)(5), 2107(A)(6)(a) as well as the LMFT Rules, Chapter 47, Code of Conduct for Licensed Family Marriage Therapists, §§ 4705(A), 4709(I) and 4709(J).
5. Mr. Hay has admitted that he inappropriately touched his client, the complainant, in a sexual manner during her counseling session on or about July 19, 2013 in violation of La. R.S. 37:1110, LPC Rules, Chapter 21, Code of Conduct for Licensed Professional Counselors, §§ 2103 (A)(4), 2103(A)(5), 2107(A)(6)(a) as well as the LMFT Rules, Chapter 47, Code of Conduct for Licensed Family Marriage Therapists, §§ 4705(A), 4709(I) and 4709(J).

WHEREAS, Mr. Hay 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 the Respondent who has indicated his desire to resolve this matter through a Consent Agreement and Order;

WHEREAS, Mr. Hay acknowledges that any repeat of the misconduct mentioned in this Consent Agreement and Order will be considered a violation of the terms of this Consent Agreement and Order and cause for further disciplinary action.

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 LPC Board orders and Mr. Hay accepts the following administrative action which is a final decision pursuant to La. R.S. 49:958:

1. Christopher K. Hay's LPC and LMFT licenses are hereby revoked;
2. After two (2) years from the date of all parties signing the Consent Agreement and Order, Mr. Hay may reapply for licensure and must meet all operative licensure requirements in effect at that time;
3. Within one (1) year from the date of all parties signing the Consent Agreement and Order, Mr. Hay shall pay the investigative and legal costs associated with

Complaint LPC/LMFT 13/14-03 in the amount of \$ 6,405.50.¹ The payments shall be made on a quarterly basis.² There shall be no pre-payment penalty.

4. Mr. Hay shall pay a fine as authorized by La. R.S. 37:1106(D) for the above referenced violations in the amount of five hundred dollars (\$500.00) within one (1) year from the date that all parties sign this Consent Agreement and Order.
5. Mr. Hay 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 the Consent Agreement and Order.
6. By agreeing to the terms of this Consent Agreement and Order, Mr. Hay waives all rights to appeal this adjudication.

THIS CONSENT AGREEMENT AND ORDER shall take effect immediately upon adoption by the LPC Board and are a matter of public record. The terms of this Consent Agreement and Order may be published and reported in, including but not limited to, the LPC Board Newsletter, the National Board for Certified Counselors, and the National Practitioner Data Bank-Healthcare Integrity and Protection Data Bank (NPPD-B-HPDB).

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.

¹ Thus far there are no investigative costs in this matter.

² Payments are due October 31, 2013; January 31, 2014; April 30, 2014; July 31, 2014. The final payment is due no later than September 20, 2014.

ORDER

The Louisiana Licensed Professional Counselors Board of Examiners, having examined the Consent Agreement and Order, Case No. LPCLMFT 13/14-03, adopt the Consent Agreement and Order in this matter on Sept. 20th, 2013.

DATED this 20th day of Sept., 2013, at Baton Rouge, Louisiana.

LOUISIANA LICENSED PROFESSIONAL
COUNSELORS BOARD OF EXAMINERS

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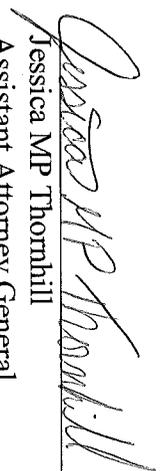
Kathryn Steele, Ph.D., LPC-S, LMFT-S, Board Member

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

James Nelson, M.D., Member-at-Large

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 Licensed Professional Counselor, and Licensed Marriage and Family Therapist, Christopher K. Hay, could be charged under LPC/LMFT 13/14-03; 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

9/18/13
Date

I, Christopher K. Hay, Licensed Professional Counselor and Licensed Marriage Family Therapist, make these acknowledgments and waivers in support of a final disposition of the pending investigation of LPC/LMFT 13/14-03 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.


Christopher K. Hay, LPC, LMFT

Date 9/18/13

I, Christopher K. Hay, Licensed Professional Counselor, and Licensed Marriage Family Therapist, have read the Consent Agreement and Order, understand it, and agree to be bound by its terms and conditions.

DATED: 9/18/13


LPC/LMFT NAME

SUBSCRIBED AND SWORN TO before me this 18th day of September, 2013, at Lake Charles, Louisiana.


Notary Public
Print Name: **Thomas L. Lorenzi**
My commission expires **8/1/14** License # **7724**