

LOUISIANA LICENSED PROFESSIONAL
COUNSELORS BOARD OF EXAMINERS

IN THE MATTER OF

ADMINISTRATIVE COMPLAINT

ALYSIUS C. ALLEN, LPC-S, LMFT

NUMBER: LPCLMFT 11/12-12

LPC No. 2257, LMFT No. MFT39

CONSENT AGREEMENT AND ORDER

WHEREAS, Alysius C. Allen ("Mr. Allen") is a Licensed Professional Counselor (LPC), Licensed Professional Counselor Supervisor (LPC-S), 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:IX §2101, et seq.), Professional Standards for Licensed Marriage and Family Therapists (LAC 46:IX §2701, et seq.) and the rules regarding disciplinary proceedings (LAC 46:IX § 1301-1325); and

WHEREAS, pursuant to a Louisiana Licensed Professional Counselors Board of Examiners (LPC Board) board initiated complaint, and a subsequent administrative investigation, the LPC, LPC-S, and LMFT, Mr. Allen, has indicated his desire to resolve this matter through a Consent Agreement and Order as provided for in LAC 46:IX § 1311, LAC 46:IX § 3907, and La. R.S. 49:955(D) of the Louisiana Administrative Procedure Act; and

WHEREAS, the LPC, LPC-S, and LMFT, Mr. Allen, has admitted the following:

1. Mr. Allen is and at all times pertinent to the facts and matters alleged herein a Licensed Professional Counselor, Licensed Professional Counselor Supervisor, and Licensed Marriage and Family Therapist, registered by the LPC Board to engage in the practice of mental health counseling in the State of Louisiana, as evidenced by LPC No. 2257 and LMFT No. MFT39.
2. At all times pertinent to the facts of this case, Mr. Allen owned and operated "Allen's Consultation & Training, Inc.(ACT)" in Baton Rouge, Louisiana.
3. Mr. Allen has admitted that he, through his agency ACT, knowingly hired an ACT employee to work as a "Mental Health Professional (MHP)" and provide mental health counseling although said ACT employee was not registered or licensed to practice mental health counseling in the State of Louisiana in

violation of LPC Rules, Chapter 21, Code of Conduct for Licensed Professional Counselors, Section 2107(B)(3) and Section 2109(A)(8).

4. Mr. Allen admits that he, through his agency ACT, allowed an employee to perform mental health counseling without being registered or licensed to practice mental health counseling in Louisiana in violation of La. R.S. 37:1110(A)(7), LPC Rules, Chapter 21, Code of Conduct for Licensed Professional Counselors, Section 2109(A)(7) and Section 2109(A)(8).
5. Mr. Allen has admitted that on or about January 4, 2012, ACT implemented a new agency policy whereby he, on behalf of his agency, ACT, will be responsible for verifying registrations with the LPC Board of all prospective employees before they are hired.

WHEREAS, Mr. Allen 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. Allen 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. Allen 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 of all parties signing the Consent Agreement and Order, Mr. Allen shall pay the investigative and legal costs associated with Complaint LPC/LMFT 11/12-12 in the amount of \$692.00.¹ The payments shall be made on a quarterly basis with the first payment due within thirty (30) days from the date all parties sign this Consent Agreement and Order. There shall be no pre-payment penalty.

¹ Thus far there are no investigative costs in this matter. However, the legal costs are currently \$692.00.

2. Mr. Allen shall pay a fine as authorized by La. R.S. 37:1106(D) for the above referenced violations in the amount of three hundred dollars (\$300.00) within one (1) year from the date that all parties sign this Consent Agreement and Order.
3. Mr. Allen 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.
4. By agreeing to the terms of this Consent Agreement and Order, Mr. Allen 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 (NPPDB-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.

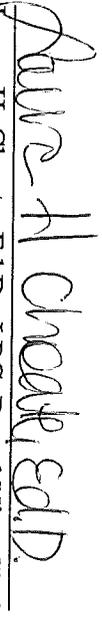
ORDER

The Louisiana Licensed Professional Counselors Board of Examiners, having examined the Consent Agreement and Order, Case No. LPC/LMFT 11/12-12, adopt the Consent Agreement and Order in this matter on September 21, 2012.

DATED this 21st day of September, 2012, at Baton Rouge, Louisiana.

LOUISIANA LICENSED PROFESSIONAL
COUNSELORS BOARD OF EXAMINERS


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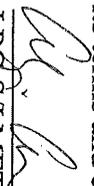
I, Katherine K. Green, Assistant Attorney General serving as Prosecutor, do hereby acknowledge negotiation and preparation of this Consent Agreement and Order in order to resolve, with prejudice, all matters for which the Licensed Professional Counselor, Licensed Professional Counselor Supervisor, and Licensed Marriage and Family Therapist, Alysius C. Allen, could be charged under LPCLMFT 11/12-12; 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.


Katherine K. Green
Assistant Attorney General
Date 7/30/12

I, Alysius C. Allen, Licensed Professional Counselor, Licensed Professional Counselor Supervisor, and Licensed Marriage Family Therapist, make these acknowledgments and waivers in support of a final disposition of the pending investigation of LPCLMFT 11/12-12 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.


Alysius C. Allen, LPC-S, LMFT
Date 7/30/12

I, Alysius C. Allen, Licensed Professional Counselor, Licensed Professional Counselor Supervisor, 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: 7/30/12

LPCLMFT NAME

SUBSCRIBED AND SWORN TO before me this 30 day of JULY,
2012, at BATON ROUGE, Louisiana.


Notary Public
Print Name: Kenneth Douglas Pennington
My commission expires: AT 12/14