

**Louisiana Licensed Professional
Counselors Board of Examiners**

IN THE MATTER OF

COMPLAINT NUMBER: 13/14-30

MELANIE HARNESS, PLPC

PROV. LICENSE PLPC NO: PLC5785

CONSENT AGREEMENT AND ORDER

WHEREAS, MELANIE HARNESS (“MS. HARNESS”) is a Provisional Licensed Professional Counselor (“PLPC”), and is 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 Provisional Licensed Professional Counselors (LAC 46:LX § 2101, et seq.) and the rules regarding disciplinary proceedings (LAC 46:LX § 1301-1325, et seq);

WHEREAS, on or about October 23, 2013, the Louisiana Licensed Professional Counselors Board of Examiners (“LPCBE”) received information regarding MS. HARNESS from an application she filed with the LPCBE concerning a period of time from May, 2012 to November, 2013, when she practiced mental health counseling prior to being registered as a Counselor Intern with the LPCBE;

WHEREAS, by letter dated June 18, 2014, the LPCBE notified MS. HARNESS of the Complaint initiated by the LPCBE, provided MS. HARNESS with a summary of the nature of the complaint, and requested that MS. HARNESS, within thirty (30) days, provide a statement giving her review of the circumstances, which are the subject of the complaint;

WHEREAS, by letter dated July 11, 2014 and received on July 21, 2014, MS. HARNESS submitted a response to the Complaint in a timely fashion, wherein she denied any error in judgment or violation of any ethical standards;

WHEREAS, pursuant to the Complaint and administrative investigation, the respondent, MELANIE HARNES, has indicated her desire to resolve this matter through a Consent Agreement and Order provided for in LAC 46:LX § 1311 and LAC 46:LX § 3907;

WHEREAS, the Respondent, MELANIE HARNES, PLPC, has admitted the following:

1. Respondent, MELANIE HARNES, is a Provisional Licensed Professional Counselor, provisionally licensed by the LPCBE to engage in the practice of mental health counseling in the State of Louisiana, as evidenced by PLPC Provisional License Number PLC5785.
2. At all times pertinent to the facts of this case, MELANIE HARNES was actively engaged in the practice of mental health counseling at Ekems Health Care, Inc., located in New Orleans, Louisiana.
3. MELANIE HARNES unlawfully engaged in the practice of mental health counseling from March, 2013 to November, 2013, prior to being registered as a Counselor Intern with LPCBE.
4. MELANIE HARNES admits that her actions were in violation of La. R.S. 37:1103(7)(10)(C), La. R.S. 37:1107(F) and La. R.S. 37:1113(6); LAC 46:LX, §503(A)(a), §705(A)(13)(C)(6)(D)(1)(a)(i)(ii)(iii)(3), §1703(F), §2103(A)(1)(a)(2)(a)(b)(i)((b)((d))(4)(a), §2107(A)(1)(a)(2)(a)(c)(3)(a)(4)(a)(6)(b)(d), and §2117(A)(1)(a).

WHEREAS, MELANIE HARNES had indicated her desire to resolve this matter through a Consent Agreement and Order;

WHEREAS, the undersigned Prosecutor for the LPCBE has communicated with MELANIE HARNES, who has indicated her desire to resolve this matter through a Consent Agreement and Order;

WHEREAS, the LPCBE believes MS. HARNES practiced mental health counseling prior to being registered as a Counselor Intern with the LPCBE from May, 2012 to November, 2013;

WHEREAS, the Respondent, MELANIE HARNES, agrees not to repeat the misconduct mentioned in this Consent Agreement and Order, and acknowledges that any further

misconduct mentioned in this Consent Agreement and Order will be considered a violation of the terms of this Consent Agreement and Order and shall be cause for further disciplinary action. MELANIE HARNESS further recognizes that any violation or failure of strict compliance with any of the terms and conditions set forth in this Consent Agreement and Order by MS. HARNESS shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the LPCBE to take further disciplinary action as the LPCBE may deem appropriate against the license of MS. HARNESS to practice mental health counseling in the State of Louisiana.

WHEREAS, Respondent, MELANIE HARNESS, recognizes her right to have an Administrative Adjudication of the charges outlined in the complaint and notice letter, at which time MS. HARNESS would be entitled to be represented by legal counsel, to call witnesses, and to present witnesses on her behalf in defense or in mitigation of the charges made, and to a decision thereon by the LPCBE based upon written findings of fact and conclusions of law in accordance with the Louisiana Administrative Procedures Act. MS. HARNESS nonetheless hereby waives her right to formal adjudication and, pursuant to La. R.S. 49:955(D), consents to the entry of the Consent Agreement and Order set forth hereinafter. MS. HARNESS also acknowledges that she hereby waives any rights to which she may be entitled pursuant to the Louisiana Administrative Procedure Act La. R.S. 49:951, et seq., or which she otherwise may be afforded by any law to contest her agreement to, or the force and effect of the LPCBE's investigation or this Consent Agreement and Order in any Court or other forum.

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

1. The PLPC Provisional License (formerly Counselor Intern registration) of MELANIE HARNESS to be engaged in the practice of mental health counseling in the State of Louisiana, as evidenced by PLPC Provisional License Number PLC5785 shall be, and is hereby REPRIMANDED and by the Consent Order, and upon MS. HARNESS's acceptance of, and strict compliance with, the following terms and conditions.
2. MS. HARNESS shall obtain six (6) continuing education hours in ethics approved by the National Board of Certified Counselors ("NBCC"), the American Counseling Association ("ACA"), or the Louisiana Counseling Association ("LCA"). The continuing education hours must be completed before her provisional licensure renewal date of October 31st, 2017 or before her application for LPC licensure may be reviewed. These continuing education hours must be completed in ADDITION to all standard renewal requirements for PLPC provisional licensure.
3. MS. HARNESS shall pay legal costs associated with the Complaint in the amount of \$1,200.00 within two (2) years from the date that all parties sign this Consent Agreement and Order, which payment shall be made by certified check or money order. The payment(s) shall be made on a quarterly basis, in accordance with due dates established by the Board, and with the first payment due within thirty (30) days from the date that all parties sign this Consent Agreement and Order. There shall be no pre-payment penalty.
4. MS. HARNESS shall pay a fine as authorized by La. R.S. 37:1106(D) for the above referred violations in the amount of five hundred dollars (\$500.00) within two (2) years from the date that all parties sign this Consent Agreement and Order, with payments to be made by certified check or money order. The payment(s) shall be made on a quarterly basis, in accordance with due dates established by the Board, and with the first payment due within thirty (30) days from the date that all parties sign this Consent Agreement and Order. There shall be no pre-payment penalty.
5. MS. HARNESS specifically acknowledges that failure to comply with the terms of the Consent Agreement and Order may result in further disciplinary action taken by the LPCBE. 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, MS. HARNESS waives all rights to appeal this adjudication.

THIS CONSENT AGREEMENT AND ORDER shall take effect immediately upon adoption by the LPCBE 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 LPCBE Newsletter

and website, the National Board for Certified Counselors, and the National Practitioners Data Bank (NPDB).

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 LPCBE involving Respondent.

ORDER

The Louisiana Licensed Professional Counselors Board of Examiners, having examined the Consent Agreement and Order, Case No. 13/14-30, adopt the Consent Agreement and Order in the matter on July 15th, 2016.

DATED this 15th day of July, 2016, at Baton Rouge, Louisiana.

**LOUISIANA LICENSED PROFESSIONAL
COUNSELORS BOARD OF EXAMINERS**

Laura H Choate

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

Penny Millhollon

Penny Millhollon, M.A., LPC-S, LMFT-S,
Board Secretary, MFTAC Chair

Kathryn Steele

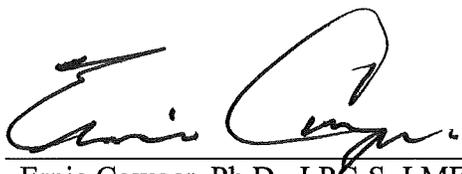
Kathryn Steele, Ph.D., LPC-S, LMFT-S, Board Vice-
Chair, MFTAC Secretary

Ronald Cathey

Ronald Cathey, M.A, LPC-S, LMFT-S,
Board Member, MFTAC Vice-Chair

Gerra W Perkins

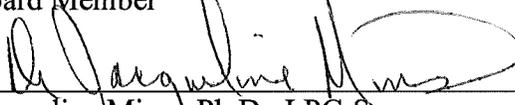
Gerra W. Perkins, Ph.D, LPC-S,
Board Member



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



Earl Augustin, Jr., Member-at-Large,
Board Member



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

I, James R. Raines, 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 MELANIE HARNESS, PLPC, could be charged under Complaint Number 13/14-30; 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.



James R. Raines

7/15/16

Date

I, **MELANIE HARNESS**, PLPC, make these acknowledgements and waivers in support of a final disposition of the pending investigation of Complaint Number 13/14-30 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, by agreement to this Order. By my subscription hereto, I also hereby authorize the Prosecutor to present this Order to the LPCBE for its consideration and to disclose to and discuss with the LPCBE 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 LPCBE shall be without prejudice to the Prosecutor’s authority to file a

formal Administrative Complaint, or the LPCBE's capacity to adjudicate such Administrative Complaint, should the LPCBE Board decline to approve this Consent Agreement and Order. I further acknowledge my awareness that should the LPCBE approve this Consent Agreement and Order that the Consent Agreement and Order will become a matter of public record.

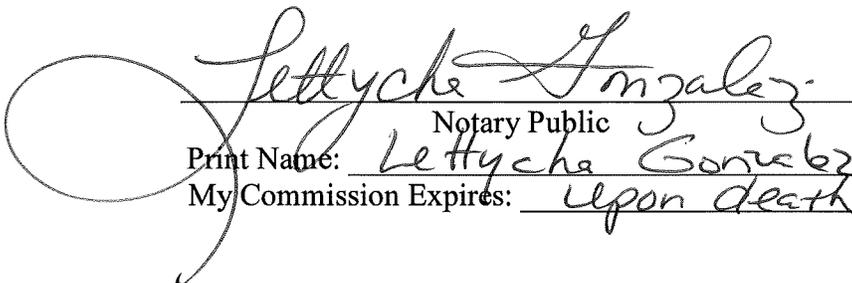

MELANIE HARNESS

6/25/2016
Date

I, MELANIE HARNESS, have read the Consent Agreement and Order, understand it, and agree to be bound by its terms and conditions.

DATED: 6/25/2016 
MELANIE HARNESS

SUBSCRIBED AND SWORN TO before me this 25 day of June, 2016, at Marrero, Louisiana.


Notary Public
Print Name: Lettycha Gonzalez
My Commission Expires: Upon death

