

LOUISIANA LICENSED PROFESSIONAL
COUNSELORS BOARD OF EXAMINERS

IN THE MATTER OF

ADMINISTRATIVE COMPLAINT

MARY C. DERMODY, LPC-S, LMFT

NUMBER: LP/CLMFT 10/11-21

LPC No. 2146, LMFT No. MFT54

CONSENT AGREEMENT AND ORDER

WHEREAS, Mary C. Dermody (“Ms. Dermody”) 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: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 filed with the Louisiana Licensed Professional Counselors Board of Examiners (LPC Board), and a subsequent administrative investigation, the LPC, LPC-S, and LMFT, Ms. Dermody, 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, the LPC, LPC-S, and LMFT, Ms. Dermody, has admitted the following:

1. Ms. Dermody 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. 2146 and LMFT No. MFT54.
2. At all times pertinent to the facts of this case, Ms. Dermody was actively engaged in the practice of professional counseling and marital and family therapy at Transition Counseling, LLC, in Metairie, Louisiana.

3. Ms. Dermody has admitted to counseling the complainant and his two minor children from May through June 2009.
4. Ms. Dermody has admitted that she provided twenty-three (23) counseling sessions for his two minor children in the year 2009, and an additional twelve (12) sessions in the year 2010. The last counseling session in which the complainant was in attendance was June 26, 2009. Therefore, the complainant was not present for all of his two minor children's counseling sessions.
5. In her response to a request for all clinical records, including case notes, involving the complainant and his two minor children related to the pending administrative matter, Ms. Dermody submitted handwritten counseling notes for four (4) counseling sessions: (1) dated May 9, 2009; (2) dated August 8, 2009; (3) dated September 12, 2009; and (4) January 25, 2011.
6. Ms. Dermody further admitted in a handwritten response that she does not write many notes.
7. Ms. Dermody admits that she did not adequately document counseling sessions attended by the complainant and his two minor children in the pending administrative matter. There is no documentation of a counseling plan for the complainant or his two minor children, or documentation that Ms. Dermody regularly reviewed counseling plans with them thus resulting in a violation of LPC Rules, Chapter 21, Code of Conduct for Licensed Professional Counselors, Section 2103(A)(3)) and the Professional Standards for Licensed Marriage and Family Therapists, Section 4709(G).

WHEREAS, Ms. Dermody 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 the respondent who has indicated her desire to resolve this matter through a Consent Agreement and Order;

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

1. Within one (1) year of all parties signing the Consent Agreement and Order, Ms. Dermody shall complete six (6) Continuing Education Hours (CEHs) in Ethics and clinical documentation. Ms. Dermody shall provide proof of completion of the foregoing required CEHs upon completion thereof.
2. Ms. Dermody shall pay the investigative and legal costs associated with Complaint LPC/LMFT 10/11-21 in the amount of \$330.00¹ within one (1) year from the date that all parties sign this Consent Agreement and Order. The payments shall be made on a quarterly basis with the first payment due within thirty days from the date all parties sign this Consent Agreement and Order. There shall be no pre-payment penalty.
3. Ms. Dermody 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.
4. Ms. Dermody 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.

5. By agreeing to the terms of this Consent Agreement and Order, Ms. Dermody 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

¹ Thus far there are no investigative costs in this matter. However, the legal costs are currently \$720.00. The legal costs delineated in this Consent Agreement and Order could increase depending upon the additional time required to resolve this case. A more accurate assessment of the costs will be provided at such time the licensee is prepared to accept this consent agreement and order.

National Practitioner Data Bank-Healthcare Integrity and Protection Data Bank (NPPDB-HPDB).

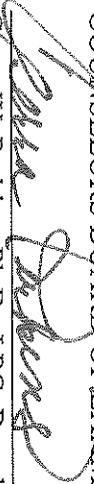
THE ADMISSIONS AND FINDINGS CONTAINED HEREIN are intended solely for the purpose of resolving the case at hand or in connection with other matters before the LPC Board involving Respondent.

ORDER

The Louisiana Licensed Professional Counselors Board of Examiners, having examined the Consent Agreement and Order, Case No. LPCL/MFT 10/11-21, adopt the Consent Agreement and Order in this matter on May 18, 2012.

DATED this 18th day of May, 2012, at Baton Rouge, Louisiana.

LOUISIANA LICENSED PROFESSIONAL
COUNSELORS BOARD OF EXAMINERS


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


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


Penny Mithelton, MA, LPC, LMFT, Secretary

Anthony Williams, MA, LPC, LMFT, Board Member

Dustin S. Dowling, Member at Large


Alysius Allen, MA, LPC, LMFT, Board Member

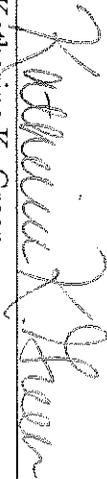

Gloria Bockrath, Ph.D., LPC, LMFT, Board Member


Mark Reynaud, MA, LPC, LMFT, Board Member

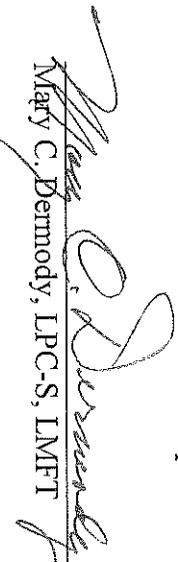
N. Tom Moore, MA, MMFT, LPC, LMFT, Board Member


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

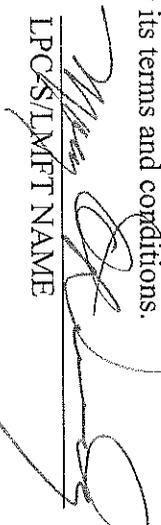
I, Katherine K. Green, Assistant Attorney General serving as Prosecutor, do hereby acknowledge negotiation and preparation of this Consent Agreement and Order in order to resolve, with prejudice, all matters for which the Licensed Professional Counselor, Licensed Professional Counselor Supervisor, and Licensed Marriage and Family Therapist, Mary C. Dermody, could be charged under LPC/LMFT 10/11-21; 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 May 18th, 2012

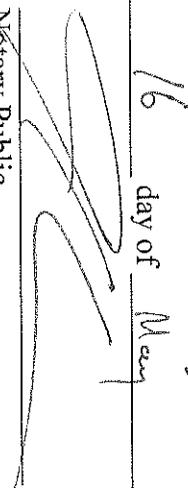
I, Mary C. Dermody, Licensed Professional Counselor, Licensed Professional Counselor Supervisor, and Licensed Marriage Family Therapist, make these acknowledgments and waivers in support of a final disposition of the pending investigation of LPC/LMFT 10/11-21 by Consent Agreement and Order (“Order”) 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.


Mary C. Dermody, LPC-S, LMFT
Date 5/16/12

I, Mary C. Dermody, 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: 5/16/12

LPC/S/LMFT NAME

SUBSCRIBED AND SWORN TO before me this
2012, at New Orleans, Louisiana.

16 day of May

Notary Public
Print Name:
My commission expires: **KURT A. OFFNER**

NOTARY PUBLIC, ID #89946
LA BAR ROLL #28176
PARISH OF JEFFERSON, LA
MY COMMISSION IS FOR LIFE