

**Louisiana Licensed Professional  
Counselors Board of Examiners**

**IN THE MATTER OF**

**COMPLAINT NUMBER: 12/13-73**

**WHITNEY RUCKER, PLPC, PLMFT**

**PROV. LICENSE PLPC NO: PLC5476**

**PROV. LICENSE PLMFT NO: PLM1288**

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**CONSENT AGREEMENT AND ORDER**

**WHEREAS**, Whitney Rucker (“Ms. Rucker”, formerly Whitney Coles) is a Provisional Licensed Professional Counselor (“PLPC”) and a Provisional Licensed Marriage and Family Therapist (“PLMFT”) 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 Code of Ethics for Provisional Licensed Marriage and Family Therapists (LAC 46:LX § 2701, et. seq) and the rules regarding disciplinary proceedings (LAC 46:LX § 1301-1325, et seq and LAC 46:LX § 3901, et seq.;

**WHEREAS**, on or about October 29, 2012, the Louisiana Licensed Professional Counselors Board of Examiners (“LPCBE”) received information regarding Ms. Rucker from an application she filed with the LPCBE concerning a period of time from September 2011 to November 2012, when she practiced mental health counseling prior to being registered as a Counselor Intern or MFT Intern with the LPCBE;

**WHEREAS**, by letter dated July 2, 2013, the LPCBE notified Ms. Rucker of the Complaint initiated by the LPCBE, provided Ms. Rucker with a summary of the nature of the complaint, and requested that Ms. Rucker, 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 9, 2013, Ms. Rucker 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, Whitney Rucker, 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, Whitney Rucker, PLPC, PLMFT has admitted the following:

1. Respondent, Whitney Rucker, is a Provisional Licensed Professional Counselor and Provisional Licensed Marriage and Family Therapist provisionally licensed by the LPCBE to engage in the practice of mental health counseling and marriage and family therapy in the State of Louisiana, as evidenced by PLPC Provisional License Number PLC5476 and PLMFT Provisional License Number PLM1288.
2. At all times pertinent to the facts of this case, Whitney Rucker was actively engaged in the practice of mental health counseling at Addiction Recovery Resources, Inc., located in New Orleans, Louisiana.
3. Whitney Rucker unlawfully engaged in the practice of mental health counseling from September 2011 to November 2011, prior to being registered as a Counselor Intern or MFT Intern with LPCBE.
4. Whitney Rucker admits that her actions were in violation of La. R.S. 37:1103 (10)(a) and RS 37:1113 (6); LAC 46:LX, §503(A)(a)(j), §705(A)(2)(C)(3), §1703(F), §2103(A)(1)(C), §2107(A), §2109(A), §2113(A)(5), and §2117(A); La. R.S. 37:1121, 37:1122(A); LAC 46:LX §3103(A), §3315(C)(4)(5)(a)(b), §4701(B), §4703(A)(1)(2)(3), §4705(A), and §4709 (A)(C).

**WHEREAS**, Whitney Rucker had indicated her desire to resolve this matter through a Consent Agreement and Order;

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

**WHEREAS**, the Respondent, Whitney Rucker, 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. Whitney Rucker 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. Rucker 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. Rucker to practice mental health counseling in the State of Louisiana.

**WHEREAS**, Respondent, Whitney Rucker, recognizes her right to have an Administrative Adjudication of the charges outlined in the complaint and notice letter, at which time Ms. Rucker 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. Rucker nonetheless hereby waives her right to formal adjudication and, pursuant to La. R.S. 49:955(D), and consents to the entry of the Consent Agreement and Order set forth hereinafter. Ms. Rucker 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. Rucker accepts the following administrative action, which is a final decision pursuant to La. R.S. 49:958:

1. The PLPC provisional license and PLMFT provisional license (formerly Counselor Intern registration and MFT Intern registration) of Whitney Rucker to be engaged in the practice of mental health counseling and marriage and family therapy in the State of Louisiana, as evidenced by PLPC provisional license Number PLC5476 and PLMFT provisional license number PLM1288 shall be, and are hereby REPRIMANDED and by the Consent Order, and upon Ms. Rucker's acceptance of, and strict compliance with, the following terms and conditions.
2. Ms. Rucker shall obtain three (3) 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 within six (6) months of the approval by the LPCBE of this Consent Agreement and Order. These continuing education hours must be completed in ADDITION to all standard renewal requirements for PLPC and PLMFT provisional licensure.
3. Ms. Rucker shall pay legal costs associated with the Complaint in the amount of \$900.00 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. Rucker shall pay a fine as authorized by La. R.S. 37:1106(D) for the above referred violations in the amount of three hundred dollars (\$300.00) within two (2) years from the date that all parties sign this Consent Agreement and 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. Rucker 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. Rucker 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. 12/13-73, adopt the Consent Agreement and Order in the matter on January 22<sup>nd</sup>, 2016.

DATED this 22<sup>nd</sup> day of January, 2016, at Baton Rouge, Louisiana.

**LOUISIANA LICENSED PROFESSIONAL  
COUNSELORS BOARD OF EXAMINERS**

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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 Whitney Rucker, PLPC, could be charged under Complaint Number 12/13-73; 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*  
James R. Raines

*12/29/15*  
Date

I, Whitney Rucker, LPC, make these acknowledgements and waivers in support of a final disposition of the pending investigation of Complaint Number 12/13-73 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.

Wh Rucker  
Whitney Rucker

12/10/15  
Date

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

DATED: 12/10/15 Wh Rucker  
WHITNEY RUCKER

SUBSCRIBED AND SWORN TO before me this 10<sup>th</sup> day of December, 2015, at 3:00 pm, Louisiana.

Korwan Hand  
Notary Public  
Print Name: KORWAN HAND  
My Commission Expires: AT DEPART