

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
ADDICTIONS SPECIALIST
PROFESSIONAL PRACTICE BOARD
EC CASE NO. 789-23

NORTH CAROLINA ADDICTIONS)
SPECIALIST PROFESSIONAL)
PRACTICE BOARD,)
Petitioner,)
v.)
ASHLEY NICHOLE SIDES)
(CADC-I No. 28059),)
Respondent.)

CONSENT ORDER

THIS MATTER is before a Panel of the Ethics Committee (the “Panel”) of the North Carolina Addictions Specialist Professional Practice Board (the “Board”), pursuant to Chapter 150B, Article 3A of the North Carolina General Statutes; the North Carolina Substance Use Disorder Professional Practice Act; and Title 21, Chapter 68 of the North Carolina Administrative Code. The Board, with a quorum present, and Respondent stipulate and agree to the entry of the following Consent Order:

FINDINGS OF FACT

1. Petitioner Board was established by the North Carolina General Assembly to credential and regulate substance use disorder professionals in North Carolina, in accordance with Chapter 90, Article 5C of the North Carolina General Statutes.
2. Respondent currently is a citizen and resident of Buncombe County, North Carolina; and is neither a minor nor an incompetent person.
3. On March 1, 2024, Respondent was registered by the Board as a Certified Alcohol and Drug Counselor Intern (“CADC-I”) (CADC-I No. 28059), which will expire on August 30,

2026, if not renewed. Respondent has not received prior disciplinary action before this Board.

4. On August 7, 2023, Dawn F. Crain (“Crain”) and Nicole F. Ross (“Ross”), managers at Behavior Health Group (“BHG”), filed a formal complaint with the Board alleging Respondent engaged in dual relationships with patients and shared confidential patient health information to outside sources. The complaint was designated by the Board as Ethics Complaint (“EC”) Case No. 789-23.
5. Upon investigation into EC Case No. 789-23, the Board determined the following:
 - a. During all times relevant to this matter, Respondent was employed by BHG, an outpatient opioid treatment recovery center in North Carolina.
 - b. During all times relevant to this matter, Patient E.C. was receiving clinical services as a patient at BHG, where Respondent and Respondent’s spouse were employed.
 - c. On or about July 2023, Respondent’s spouse took possession of Patient E.C.’s newborn child on the weekends, which Respondent was aware of.
 - d. Respondent’s spouse housed Patient E.C.’s child at Respondent’s personal residence, which Respondent was aware of.
 - e. On July 19, 2023, Respondent was terminated from employment at BHG for violation of company policies, specifically, for engaging in a conflict of interest and/or dual relationship(s) with patient(s).
6. On December 5, 2023, Respondent submitted a response to the above-referenced Ethics Complaint, generally denying the above-referenced allegations.

CONCLUSIONS OF LAW

7. Respondent is subject to the North Carolina Addictions Specialist Professional Practice Act and the rules promulgated pursuant to the Act. The Board has jurisdiction over Respondent and the subject matter of this proceeding.
8. The acts and omissions of Respondent as described above constitute violations of the following:
 - a. N.C. Gen. Stat. § 90-113.44(a)(6), (a)(7), (a)(9), and (a)(10);
 - b. 21 NCAC 68 .0503(a);
 - c. 21 NCAC 68 .0507(a);
 - d. 21 NCAC 68 .0509(b) and (d); and
 - e. 21 NCAC 68 .0601(4)(a) and (6)(a).
9. Respondent committed one or more of the violations described above. Pursuant to N.C. Gen. Stat. § 90-113.33(2), the Board has the authority to deny, suspend, or revoke Respondent's licensure, certification, or registration to practice in this State or reprimand or otherwise discipline Respondent's license, certificate, or registration in North Carolina. Respondent wishes to resolve this matter by voluntarily surrendering her license and the Board agrees to accept this resignation in lieu of further proceedings related to this matter. BASED upon the foregoing Findings of Fact and Conclusions of Law, and in lieu of further proceedings, Respondent wishes to resolve this matter by consent and agrees that Board staff and counsel may discuss this Consent Order with the Board *ex parte* whether or not the Board accepts this Consent Order as written.

Whereas Respondent acknowledges that she read this entire document and understands it;

Whereas Respondent acknowledges that she enters into this Consent Order freely and voluntarily;

Whereas Respondent acknowledges that she had full and adequate opportunity to confer with legal counsel in connection with this matter;

Whereas Respondent understands that this Consent Order must be presented to the Board for approval; and

Whereas the Board has determined that the public interest is served by resolving this matter as set forth below.

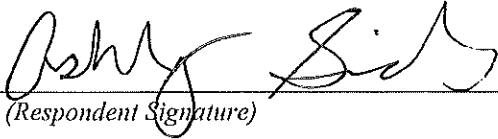
THEREFORE, with the consent of Respondent, it is ORDERED that:

1. Respondent's registration as a Certified Alcohol and Drug Counselor Intern (CADC-I No. 28059) from the North Carolina Addictions Specialist Professional Practice Board is hereby suspended for a period of twelve (12) months from the execution of this Consent Order.
 - a. Respondent shall submit documentation to the Board demonstrating successful completion of forty (40) hours of continuing education pertaining to the topics of Boundaries, the Health Insurance Portability and Accountability Act ("HIPAA"), and Ethics, on or before the expiration of the twelve (12) month suspension;
 - b. If Respondent fails to submit the above-referenced documentation within the above-referenced deadline, Respondent's registration as a CADC-I shall remain suspended until Respondent submits the appropriate documentation; and
 - c. Respondent hereby forfeits any hours accrued in relation to the requirements for full certification as a CADC.

2. The Board shall retain jurisdiction under Article 3A, Chapter 150B for all administrative hearings held in connection with or pursuant to this Consent Order. If the Board receives evidence that Respondent has violated any term of this Consent Order or any other law or rule enforced by the Board, the Board shall schedule a show cause hearing for a determination of the violations. If the Board determines that a violation has occurred, the Board may impose such disciplinary action as it determines is appropriate and is authorized by law.
3. This Consent Order shall take effect immediately upon its execution by the Board and Respondent and reflect the entire agreement between Respondent and the Board, there being no agreement of any kind, verbal or otherwise, which varies, alters, or modifies this Consent Order.
4. No modification or waiver of any provision of this Consent Order shall be effective unless it is in writing, adopted and approved by the Board, and signed by the parties affected.
5. Both the Board and Respondent participated in the drafting of this Consent Order. Any ambiguities herein shall not be construed against either party in any future civil or administrative proceeding.
6. Each party to this proceeding shall bear their own costs, and the Board shall bear its own costs of investigation.
7. Upon its execution by the Board and Respondent, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof.

CONSENTED TO:

ASHLEY NICHOLE SIDES


(Respondent Signature)

Date: 5/24/2024
(Respondent Date)

By Order of the North Carolina Addictions Specialist Professional Practice Board, this the
28th day of May, 2024.

By: Nyi N. Myint
Nyi Myint, Ethics Chair