

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
ADDICTIONS SPECIALIST
PROFESSIONAL PRACTICE BOARD
EC CASE NO. 797-23

NORTH CAROLINA ADDICTIONS)
SPECIALIST PROFESSIONAL)
PRACTICE BOARD,)
Petitioner,)
v.)
CARRIE ADELINE MITCHELL)
(LCAS No. 22514),)
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, North Carolina General Statute § 90, Article 5C; 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 Wake County, North Carolina; and is neither a minor nor an incompetent person.
3. Respondent currently holds the certification of Licensed Clinical Addictions Specialist (“LCAS”) (LCAS No. 22514), which is currently summarily suspended by the Board. The

certification was issued by the Board on February 26, 2019, and expired on November 8, 2023.

4. On October 11, 2023, the Board received a complaint filed by Barden Culbreth (“Culbreth”), Senior Administrative Director for the Board, alleging Respondent engaged in a personal, sexual relationship with an inmate under Respondent’s clinical care at the Harnett Correctional Institution. The complaint was designated by the Board as Ethics Complaint (“EC”) Case No. 797-23.
5. Upon investigation into EC Case No. 797-23, the Board determined the following:
 - a. During all times relevant to this matter, Respondent was an employee of the Harnett Correctional Institution, a prison facility for male inmates located in Lillington, North Carolina, working under the North Carolina Department of Safety under the Adult Prisons Division.
 - b. Since on or about October 2017, Respondent was employed as a therapist in the Sex Offender Accountability and Responsibility (“SOAR”) treatment and rehabilitation program. Respondent provided clinical services to adult male inmates convicted of committing sexual offense(s).
 - c. Client J. D. was an inmate under Respondent’s clinical care at the Harnett Correctional Institution.
 - d. Respondent engaged in a personal, sexual relationship with client/inmate J. D. while Client J. D. was in Respondent’s custody at the Harnett Correctional Institution. Respondent attempted to conceal the relationship, including from other

substance use professionals and employees at the Harnett County Correctional Institute, and encouraged client/inmate J. D. to do the same.

- e. On September 22, 2023, Respondent was arrested by law enforcement for alleged criminal offenses related to the above-referenced personal relationship with client/inmate J.D.
- f. On or about September 22, 2023, Respondent separated from employment at the Harnett Correctional Institution, following her arrest for the above-referenced criminal charge.
- g. Respondent failed to notify the Board of the above-referenced criminal charge within thirty (30) days of the date of issuance of the charge.
- h. On October 12, 2023, Board staff issued an Order for Summary Suspension to summarily suspend LCAS license no. 22514 held by Respondent.
- i. On October 16, 2023, the Order for Summary Suspension was served on Respondent, who advised the Board that she would not appear at the hearing and did not, in fact, appear at the hearing.
- j. On October 27, 2023, the Board conducted a hearing in which Board staff and Respondent were provided the opportunity to present testimony, evidence, and arguments regarding whether the summary suspension should remain in place until a hearing could be held on the allegations set forth in the Order for Summary Suspension. Following the summary suspension hearing, the Board upheld the summary suspension of Respondent's certification as a Licensed Clinical Addictions Specialist (LCAS No. 22514).

- k. On February 20, 2024, Respondent entered into a plea deal in which she pled guilty to *OBSTRUCTING JUSTICE (MISDEMEANOR)* for obstructing justice by secretly, in violation of the terms of her employment and her institution, and in spite of her position of authority, having and maintaining a sexual relationship with an inmate in her care and supervision.
- l. On February 20, 2024, as a result of her criminal conviction, Respondent was sentenced to a suspended sentence of forty-five (45) days of confinement, with twelve (12) months of unsupervised probation. Respondent was ordered to pay \$183.00 in fees.
6. On or about April 15, 2024, Respondent submitted a written response to the Notice of Hearing in the above-captioned matter, in which Respondent indicated she engaged in a dual relationship with an inmate, including a kiss on the mouth. However, Respondent denied further physical and/or sexual contact with the inmate/client.
7. Evidence gathered by the Board indicates Respondent misrepresented the nature of Respondent's relationship with inmate/client J. D. to the Board, as Respondent did in fact engage in a sexual relationship with the inmate, including engaging in sexual intercourse with the inmate on more than one occasion at the Harnett Correctional Institution. Respondent also made financial contributions to inmate/client J. D., including finances to facilitate telephone calls and the like.

CONCLUSIONS OF LAW

8. 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.
9. The acts and omissions of Respondent as described above constitute violations of the following:
 - a. Respondent failed to notify the Board of a criminal conviction imposed during the period of registration, in violation of N.C. Gen. Stat. § 90-113.40A(c);
 - b. Respondent was convicted of an offense under municipal, State, or federal law, other than traffic laws as prescribed by Chapter 20 of the General Statutes, in violation of N.C. Gen. Stat. § 90-113.44(a)(3);
 - c. Respondent engaged in an act or practice in violation of the provisions of this Article and the rules adopted pursuant to it, in violation of N.C. Gen. Stat. § 90-113.44(a)(6);
 - d. Respondent engaged in the commission of an act of malpractice, gross negligence, or incompetence while serving as a substance use disorder professional, in violation of N.C. Gen. Stat. § 90-113.44(a)(7);
 - e. Respondent engaged in conduct that could result in harm or injury to the public, in violation of N.C. Gen. Stat. § 90-113.44(a)(9);
 - f. Respondent entered into a dual relationship that impaired professional judgment and increased the risk of exploitation with a client, in violation of N.C. Gen. Stat. § 90-113.44(a)(10);

- g. Respondent failed to employ her knowledge, skill and proficiencies within their scope of practice, in violation of 21 NCAC 68 .0503(a);
- h. Respondent knew of unethical conduct, as defined by the rules of this Chapter, and failed to report such violations to the Board, in violation of 21 NCAC 68 .0503(e);
- i. Respondent failed to protect the safety and welfare of a client, in violation of 21 NCAC 68 .0507(a);
- j. Respondent failed to collaborate with other health care professionals providing treatment or support services to a client, in violation of 21 NCAC 68 .0507(i);
- k. Respondent failed to avoid a dual relationship that could impair professional judgment or increase the risk of exploitation of a client, in violation of 21 NCAC 68 .0509(b);
- l. Respondent engaged in sexual activity or sexual contact with a client, in violation of 21 NCAC 68 .0509(c);
- m. Respondent misused their professional relationship for sexual, financial, or some other personal advantage, in violation of 21 NCAC 68 .0509(d);
- n. Respondent failed to cooperate with the committees of the board and supply requested information unless prohibited by law, in violation of 21 NCAC 68 .0510(c);
- o. Respondent falsely represented material fact to maintain a credential, in violation of 21 NCAC 68 .0601(1)(b);

- p. Respondent knowingly made misleading, deceptive, false, or fraudulent misrepresentations in the practice of the profession, in violation of 21 NCAC 68 .0601(2)(a);
 - q. Respondent knowingly make misleading, deceptive, false, or fraudulent representations to the Board, in violation of 21 NCAC 68 .0601(3);
 - r. Respondent participated in and/or solicited sexual activity or sexual contact with a current client of one's agency in violation of Rule .0509 of this Chapter, in violation of 21 NCAC 68 .0601(4)(b);
 - s. Respondent participated in dishonesty, fraud, misrepresentation, or any other illegal act involving a client or person served, in violation of 21 NCAC 68 .0601(5)(c);
 - t. Respondent failed to follow the standards of skill and competence possessed and applied by professional peers credentialed in this State acting in the same or similar circumstances, in violation of 21 NCAC 68 .0601(6)(a);
 - u. Respondent failed to cooperate with the investigations and proceedings of a professional ethics committee, in violation of 21 NCAC 68 .0601(7)(e); and
 - v. Respondent failed to notify the Board within 30 days of the date of issuance of any criminal charges, in violation of 21 NCAC 68 .0606(c)-(d).
10. 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 hereby permanently and voluntarily surrenders her licensure as a Licensed Clinical Addictions Specialist (“LCAS”) (LCAS No. 22514) before this Board.
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.

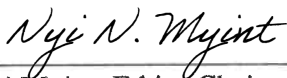
CONSENTED TO BY:

CARRIE ADELINE MITCHELL


Carrie Adeline Mitchell
(Respondent Signature)

Date: 07/02/2024
(Respondent Date)

By Order of the North Carolina Addictions Specialist Professional Practice Board, this the
2nd day of July, 2024.

By: 
Nyi N. Myint
Nyi Myint, Ethics Chair