

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
ADDICTIONS SPECIALIST
PROFESSIONAL PRACTICE BOARD
EC CASE NO. 812-24

NORTH CAROLINA ADDICTIONS)
SPECIALIST PROFESSIONAL)
PRACTICE BOARD,)
Petitioner,)
v.)
EMILY S. BREWER)
(CADC-I No. 28183),)
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 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 Watauga County, North Carolina; and is neither a minor nor an incompetent person.
3. On October 20, 2021, Respondent was registered by the Board as a Certified Alcohol and Drug Counselor Registrant ("CADC-R") (CADC-R No. 28183). On February 24, 2022,

Respondent was certified by the Board as a Certified Alcohol and Drug Counselor Intern (“CADC-I”) (CADC-I No. 28183), which will expire on October 19, 2026, if not renewed.

4. During all times relevant to this matter, Respondent was employed as Lead Counselor at both Stepping Stone of Wilkes (“Stepping Stone Wilkes”) and Stepping Stone of Boone (“Stepping Stone Boone”), two addiction treatment centers located in North Carolina that provide methadone, suboxone and counseling services.
5. On January 24, 2024, Erin C. Caparolie (“Caparolie”), Executive Director of Stepping Stone Wilkes and Stepping Stone Boone, filed a formal complaint with the Board alleging Respondent falsified documentation to indicate Respondent provided clinical services when, in fact, Respondent had not provided such services as documented by Respondent. The complaint was designated by the Board as Ethics Complaint (“EC”) Case No. 812-24.
6. Upon investigation into EC Case No. 812-24, the Board determined the following:
 - a. During all times relevant to this matter, Respondent provided clinical services at both Stepping Stone locations, some clinical services of which were facilitated via telehealth. Per the telehealth policy in place at Stepping Stone, Respondent was to utilize only agency-approved platforms to facilitate telehealth services.
 - b. Amanda Cutt (“Cutt”), Clinical Supervisor at Stepping Stone of Wilkes, discovered a discrepancy in Respondent’s documentation upon Respondent documenting a clinical session purported to have occurred at a time and date Respondent had met with Cutt for clinical supervision, which prompted an internal investigation by Stepping Stone Boone’s Compliance Department, including an audit of Respondent’s Zoom records pertaining to telehealth sessions.

- c. The following discrepancies in Respondent's clinical notes were identified:
- i. Respondent submitted time entries for telehealth sessions purported to have occurred, while the Zoom audit did not indicate that a telehealth session occurred at the corresponding date and time, as follows:
 1. On October 31, 2023, Respondent documented a thirty-two (32) minute telehealth session, which, upon information and belief, did not occur;
 2. On October 31, 2023, Respondent documented a seventeen (17) minute telehealth session which, upon information and belief, did not occur;
 3. On November 28, 2023, Respondent documented a thirty (30) minute telehealth session which, upon information and belief, did not occur;
 4. On December 5, 2023, Respondent documented a thirty-four (34) minute telehealth session which, upon information and belief, did not occur; and
 5. On December 20, 2023, Respondent documented a twenty-nine (29) minute telehealth session which, upon information and belief, did not occur.
 - ii. Respondent submitted time entries for telehealth sessions indicating clinical sessions were facilitated via telehealth for a duration longer than the Zoom audit indicated, as follows:

1. On October 5, 2023, Respondent documented a telehealth session purported to have lasted 25:28, while the Zoom audit indicated the call was only 04:32 in duration;
2. On October 5, 2023, Respondent documented a telehealth session purported to have lasted 24:38, while the Zoom audit indicated the call was only 05:22 in duration;
3. On October 5, 2023, Respondent documented a telehealth session purported to have lasted 25:24, while the Zoom audit indicated the call was only 04:36 in duration;
4. On October 5, 2023, Respondent documented a telehealth session purported to have lasted 23:56, while the Zoom audit indicated the call was only 06:04 in duration;
5. On October 5, 2023, Respondent documented a telehealth session purported to have lasted 25:53, while the Zoom audit indicated the call was only 04:07 in duration;
6. On October 13, 2023, Respondent documented a telehealth session purported to have lasted 19:03, while the Zoom audit indicated the call was only 07:57 in duration;
7. On October 23, 2023, Respondent documented a telehealth session purported to have lasted 26:51, while the Zoom audit indicated the call was only 03:09 in duration;

8. On October 23, 2023, Respondent documented a telehealth session purported to have lasted 23:55, while the Zoom audit indicated the call was only 00:05 in duration;
9. On October 24, 2023, Respondent documented a telehealth session purported to have lasted 21:16, while the Zoom audit indicated the call was only 03:44 in duration;
10. On October 30, 2023, Respondent documented a telehealth session purported to have lasted 15:56, while the Zoom audit indicated the call was only 04:04 in duration;
11. On December 6, 2023, Respondent documented a telehealth session purported to have lasted 19:58, while the Zoom audit indicated the call was only 11:02 in duration;
12. On December 7, 2023, Respondent documented a telehealth session purported to have lasted 24:49, while the Zoom audit indicated the call was only 03:11 in duration; and
13. On December 8, 2023, Respondent documented a telehealth session purported to have lasted 19:32, while the Zoom audit indicated the call was only 06:28 in duration.

CONCLUSIONS OF LAW

7. Respondent is subject to the North Carolina Addictions Specialist Professional Practice Act and the rules promulgated pursuant to that 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:
 - a. N.C. Gen. Stat. § 90-113.44(a)(6), by engaging in any act or practice in violation of any of Article 5C or any of the rules adopted pursuant to it;
 - b. N.C. Gen. Stat. § 90-113.44(a)(7), by committing an act of malpractice, gross negligence, or incompetence while serving as a substance use disorder professional, intern, or registrant;
 - c. N.C. Gen. Stat. § 90-113.44(a)(9), by engaging in conduct that could result in harm or injury to the public;
 - d. 21 NCAC 68 .0503(a), regarding competence, by failing to employ her knowledge, skill and proficiencies within her scope of practice;
 - e. 21 NCAC 68 .0503(h), regarding competence, by failing to complete reports and record keeping functions in a manner that supports the client's treatment experience and welfare;
 - f. 21 NCAC 68 .0507(a), regarding client welfare, by failing to protect the safety and welfare of the client;
 - g. 21 NCAC 68 .0601(2)(a), regarding fraud or misrepresentation to the public, by knowingly make misleading, deceptive, false, or fraudulent misrepresentations in the practice of the profession;

- h. 21 NCAC 68 .0601(5)(c), regarding illegal acts or practices, by being an accessory to or participating in dishonesty, fraud, misrepresentation, or any other illegal act involving a client or person served;
 - i. 21 NCAC 68 .0601(6)(a), regarding professional incompetency or failure to meet standards of practice, by failing 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; and
 - j. 21 NCAC 68 .0601(7)(d), regarding professional relationships, by accepting or charging a fee when no substance use disorder professional services are actually provided.
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 credentials 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.

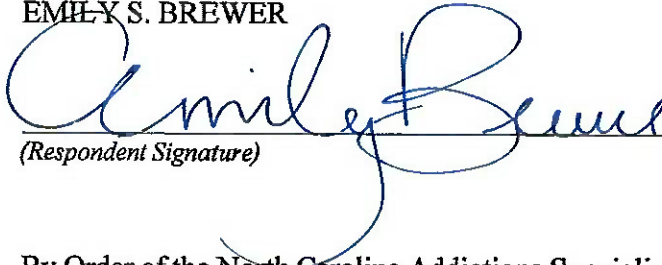
THEREFORE, with the consent of Respondent, it is ORDERED that:

1. Respondent hereby voluntarily surrenders her certification as a Certified Alcohol and Drug Counselor Intern (“CADC-I”) (CADC-I No. 28183) from the North Carolina Addictions Specialist Professional Practice Board for a period of three (3) years.
 - a. In the event Respondent elects to apply for a credential before the Board in the future, she shall appear before the Board’s Quality Assurance (“QA”) Committee at that time.
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:

EMILY S. BREWER

 Date: 08/29/2024
(Respondent Signature) (Respondent Signature Date)

By Order of the North Carolina Addictions Specialist Professional Practice Board, this the
9th day of September, 2024.



By: _____
Kathy Allen, Ethics Chair