

STATE OF NORTH CAROLINA  
WAKE COUNTY

CASE 2022-01

IN A MATTER  
BEFORE THE NORTH CAROLINA  
MARRIAGE AND FAMILY THERAPY LICENSURE BOARD

IN RE:

HEATHER DUNLEAVY,  
Respondent

CONSENT ORDER

THIS CAUSE coming to be heard and being heard before the North Carolina Marriage and Family Therapy Licensure Board (the "Board") at its December 14, 2022 meeting, pursuant to a statement of charges, which charges are pending; and

IT APPEARING to the Board that the Respondent has stipulated to certain facts and to the entry of a Consent Order in conformity therewith;

IT IS HEREBY STIPULATED by the undersigned Respondent and the Board that:

1. Respondent was at all times relevant to this matter a licensed marriage and family therapist and is subject to the Board's jurisdiction pursuant to the Marriage and Family Therapy Licensure Act, Chapter 90, Article 18C of the North Carolina General Statutes.
2. During the time period including November 2021, Respondent was engaged in the practice of marriage and family therapy in the state of North Carolina.

3. During November 2021, Respondent prepared a letter regarding an assessment of a minor client, which was later presented to a court. Respondent stated in the letter that she had consent of the mother for treatment of the minor, but in fact she did not have written consent of the mother.
4. The mother subsequently filed a complaint with the Board alleging ethical violations regarding this conduct.
5. After investigation, on October 10, 2022, the Board provided Respondent a statement of charges, including violations of (1) section 3.11 of the American Association for Marriage and Family Therapy Code of Ethics (2015), which standards have been adopted by North Carolina General Statute 90-270.60(a)(9) and 21 NCAC 31.0609, and (2) North Carolina General Statute 90-270.60(a)(4).
6. Respondent met with the Board's Ethics Committee, by videoconferencing, on November 29, 2022, and has agreed to resolution of this matter by consent.
7. The Board has complied with all notice, procedural and other requirements relating to Respondent and this matter imposed by all applicable law.
8. The Board has jurisdiction over the person of the Respondent in this matter and over the subject matter of this

proceeding.

9. The Respondent and the Board have agreed to resolve this matter by these provisions: (a) the Respondent's LMFT license will be placed on probation for a period of six (6) months and (b) she will take at least nine (9) hours of continuing education beyond the standard requirement, including at least three (3) hours in each of the following subjects: general ethics which covers informed consent, self of the therapist, and treating children of high-conflict divorcing parents, with the courses to be pre-approved by the Ethics Committee.
10. If Respondent fails to comply with any of the terms contained herein, the Board may take disciplinary action against her pursuant to N. C. Gen. Stat. 90-270.60.
11. Respondent expressly waives any right she may have to a hearing in this matter, to the making of finding of facts and conclusions of law and to any judicial review of this matter.
12. The Respondent forever releases the State of North Carolina, the Board, and all its members, officials, agents and representatives, both past and present, in their individual or official capacities from any and all liability, suits, claims, and causes of action, arising prior to or as a

result of the execution of this Consent Order.

13. This Consent Order contains the entire agreement between the parties, there being no agreement of any kind, verbal or otherwise, which varies, alters or adds to this Consent Order.
14. The Respondent acknowledges that prior to signing this Consent Order she has had the opportunity to obtain legal advice concerning every aspect of this Consent Order.
15. The Respondent acknowledges and agrees that she has entered into and signed this Consent Order voluntarily and without coercion or duress.
16. The Respondent acknowledges and agrees that this Consent Order will become effective on the date it is signed and dated by the Board's Chair.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

- I. Respondent's license to practice as a Marriage and Family Therapist is hereby placed on probation for a period of six (6) months;
- II. Respondent shall take at least nine (9) hours of continuing education beyond the standard requirement, including at least three (3) hours in each of the following subjects: general ethics which includes

informed consent, self of the therapist, and treating children of high-conflict divorcing parents, with the courses to be pre-approved by the Board's Ethics Committee.

III. The Board shall maintain this Consent Order as a public record pursuant to North Carolina General Statute 90-270.60 (F).

This the 19<sup>th</sup> of December, 2022.

CONSENTED TO BY:

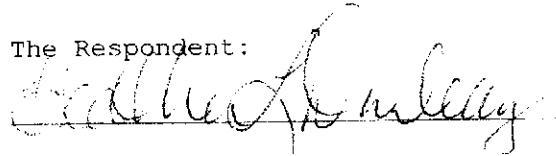
North Carolina Marriage and Family Therapy Licensure Board

By: 

Sandra Vander Linde, Chair

Date: 12-19-22

The Respondent:



Heather Dunleavy

Date: 1/4/23