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**STATE OF MISSISSIPPI
MISSISSIPPI BOARD OF EXAMINERS FOR
LICENSED PROFESSIONAL COUNSELORS**

IN RE: FRANCES HORTON WHITE, LPC #1120

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND
FINAL ADMINISTRATIVE ORDER**

THIS MATTER came for hearing before the Mississippi Board of Examiners for Licensed Professional Counselors (“Board”), on October 19, 2016, on the 2nd Floor, Classroom C, 239 N. Lamar St., Jackson, MS 39201 in Hinds County, on the Notice of Hearing and Statement of Charges against Ms. Frances Horton White, LPC #1120, (Respondent). Respondent was represented by Attorney Ms. Carshena Bailey, 414 S. State St., Jackson, MS. 39201. The Board finding that it has jurisdiction over the parties and the subject matter (Tab 12, Exhibit S-1) and being fully advised in the premises makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1.

Dr. Glenn Waller, PhD, LPC-S (Investigator), a member of the Mississippi Board of Licensed Professional Counselors until his term expired on June 30, 2016, conducted an investigation after receiving complaints from Monica Wall-Jones dated July 31, 2015, No. 2015-11, (Tab 1, Exhibit S-1) and Keisha S. Varnell dated August 4, 2015, No. 2015-12, (Tab 2, Exhibit S-1) . Respondent received Notice of these Complaints on September 23, 2015, (Tab 3, Exhibit S-1) and that she was under investigation for those Complaints, (Tab 4, Exhibit S-1). From September, 2015, through June, 2016, Investigator and Respondent communicated as part of

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the investigation into the facts of the Complaints, (Tabs 5-11, Exhibit S-1). Respondent denied all the allegations, (Tab 11, Exhibit S-1).

2.

The charges of the Complaint were presented by Special Assistant Attorney General Wm. Jeffrey Jernigan.

3.

Ms. Eliza Samuels testified to the Board that she was depressed and suicidal when she went to Respondent for counseling at the Latasha Norman Center for Counseling Services, Jackson State University. According to Ms. Samuels, Respondent denied her access to services through the intake person, Ms. LaQuita Sims. (Testimony)

4.

An unsigned, undated statement was presented for consideration by the Board describing an interaction with Respondent. Respondent's Counsel objected to its introduction as Hearsay. (Exhibit S-2)

5.

Ms. Monica Wall-Jones testified to the Board that Ms. Samuels was denied counseling services by Respondent. Ms. Samuels told Ms. Wall-Jones that she was suicidal and needed the help though Ms. Wall-Jones was not a participant in that conversation with Respondent. Ms. Wall-Jones further testified that Respondent held prayer services in the office and spread oil on the door and attempted to put oil on her person to "rid her of demons". (Testimony)

6.

An unsigned, undated statement was presented for consideration by the Board describing

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an interaction with Respondent. Respondent's Counsel objected to its introduction as Hearsay. (Exhibit S-3) (Testimony)

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Ms. Keisha S. Varnell testified to the Board that Respondent declined service to students, specifically Elisa Samuels through Ms. L. Sims, that Respondent bullied Ms. Samuels, that students complained about Respondent being to "touchy, feely" by attempting to hug or kiss them inappropriately, by attempting to force her religious beliefs on others by using "anointing oil" on her and others. Also, Respondent recklessly pulled out of her parking space in front of Ms. Varnell at one point. Ms. Varnell testified that Respondent falsely represented the Counseling Center by claiming that the Center staff was competent to deal with sexual assault claims. (Testimony)

8.

Dr. Glenn Waller, a member of the Mississippi Board of Licensed Professional Counselors until his term expired on June 30, 2016, conducted the investigation into this Complaint and testified as to the investigation. (Testimony)

9.

Ms. LaQuita Sims testified to the Board. Ms. Sims served as a Marketing/Outreach Specialist in the Latasha Norman Center for Counseling Services and reported to Respondent. Ms. Sims submitted a Consultation Report to the Board (R-1), testified that Ms. Monica Jones referred a student to the Center for counseling, that she and Respondent interviewed and counseled the student referenced in the Consultation Report. (Testimony)

10.

Respondent initially denied talking with staff about religious beliefs (Transcript, Page 9,

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lines 8-10), but later testified that that she authorized and participated in religious ceremonies in her office which included the use of anointing oil. (Transcript, Page 42, line 5 to Page 44, line 22)

11.

Respondent testified that she did engage in hugs with students. (Transcript, Page 9, Line 10 to Page 10, line 14)

12.

Respondent testified that students were routinely consulted and provided counseling prior to completing the intake process. (Transcript, Page 25, line 1 to Page 31, line 11; Page 51, line 5 to Page 55, line 13; Page 65, line 12 to Page 68, line 8.)

CONCLUSIONS OF LAW

- a. Respondent violated Miss. Code Ann. § 70-30-21(1)(f) & (g) (Rev. 2012) by failing to adhere to the American Counseling Association Code of Ethics, Section A.2.a, Informed Consent, (as adopted in Miss. Code Ann. § 70-30-13 (Rev. 2012)), by failing to meet her obligation to review in writing and verbally, then document, with clients the rights and responsibilities of both counselors and clients in an appropriate intake process, and,
- b. Respondent violated Miss. Code Ann. § 70-30-21(1)(f) & (g) (Rev. 2012) by failing to adhere to the American Counseling Association Code of Ethics, Section A.4.b, Personal Values, by failing to be aware of and avoiding the appearance of imposing religious beliefs on clients, potentially creating a specific religious-based atmosphere during business hours by anointing staff with oil, holding religious meetings and by

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making inappropriate physical contact with the clients.

- c. The aforementioned violations by Respondent constitute sufficient grounds for the imposition of disciplinary action per Miss. Code Ann. § 75-30-21 (Rev. 2012).
- d. The evidence presented for the remaining charges did not meet the clear and convincing evidentiary standard and are hereby dismissed.
 - i. C.2.d. Monitor Effectiveness
 - ii. C.2.e. Consultations on Ethical Obligations
 - iii. C.5. Nondiscrimination
 - iv. D.1.a. Different Approaches
 - v. D.1.b. Forming Relationships
 - vi. D.1.C. Interdisciplinary Teamwork

FINAL ADMINISTRATIVE ORDER

IT IS ORDERED that:

Respondent's license, LPC #1120, is hereby suspended for a minimum of 3 months from the date of this Order,

Respondent must complete and provide proof of satisfactory completion to the Board of ^{Cultural} Values Training (6 continuing education hours) and Ethics (6 continuing education hours) from an NBCC approved provider of continuing education. This training shall be in addition to the annual 12 hour continuing education licensing requirement,

If Respondent does not complete the required additional training within the minimum 3

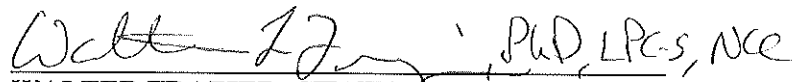
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month suspension period, then Respondent's License shall remain suspended beyond the 3 month minimum until completion of the training and proof of satisfactory completion is provided to the Board,

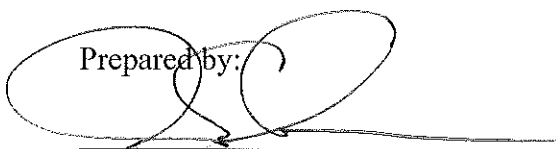
If Respondent fails to complete the above required additional training by the time of her license renewal on June 30, 2018, her License LPC #1120, shall be automatically non-renewed,

If during the time of this suspension Respondent is charged with and, after a hearing, found guilty of any additional violations her License LPC #1120 shall be immediately revoked in addition to any new violations.

SO ORDERED, this the 30th day of November, 2016.


WALTER FRAZIER, CHAIRMAN
MISSISSIPPI BOARD OF EXAMINERS for
LICENSED PROFESSIONAL COUNSELORS

Prepared by:


John W. Eads
Hearing Officer
Special Assistant Attorney General