

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

In the Matter of:

RONNY DELOACH,

Applicant

No. 2019-21

FINAL ORDER

THIS MATTER came before the Mississippi State Board of Examiners for Licensed Professional Counselors (“Board”) on February 28, 2020, to determine whether the application of Ronny DeLoach (“Applicant”) for license as a Provisional Licensed Professional Counselor should be granted. Board Member Richard Strebeck, PhD, LPC-S, NCC, CSAT recused himself and did not participate in the Board’s consideration and deliberation in this matter. A quorum of the remaining Board members was present throughout the hearing and deliberation in the matter.

Ken Walley, Legal Counsel for the Board, presented the charges regarding the application for licensure. Applicant, having been served with the notice of these proceedings and being fully informed of his rights to a formal hearing before the Board, elected to proceed in the matter and to represent himself. The case was called for hearing without objection from any party.

Gloria J. Green served as Administrative Hearing Officer, presided at the hearing and was directed to prepare the Board’s written decision in accordance with its deliberation. Having conducted the hearing in this matter, and based upon the exhibits, testimony and the evidence presented, the Board makes the following findings, conclusions and order based on clear and convincing evidence:

FINDINGS OF FACT

1. The Board is established pursuant to Title 73, Chapter 30 of the Mississippi Code of 1972, as amended, and is charged with the duty of licensing and regulating the practice of Licensed Professional Counselors in the State of Mississippi.

2. On or about September 27, 2018, Applicant filed a Provisional Licensed Professional Counselor (“P-LPC”) application with the Board. The application was denied because of a determination that Applicant did not meet the education requirements. Applicant appealed the denial and the matter is now before the Board on appeal.

3. Applicant was properly served with notice of the time, place and nature of the proceedings to be held before the Board.

4. Section 73-30-9 of the Mississippi Code of 1972, as amended,¹ lists the eligibility requirements for P-LPC licensure. The list includes, among other things, proof that the applicant has “a minimum acceptable graduate semester hour or acceptable quarter-hour master's degree ... primarily in counseling or related counseling field from a regionally or nationally accredited college or university program in counselor education or a related counseling program” as required by the Board. [Section 73-30-9 (1) (f)]. According to the Board's Rules and Regulations at 30 Miss. Admin. Code Pt. 2201, R. 4(C), the minimum acceptable hours are sixty (60) semester hours or ninety (90) quarter hours of graduate study.

5. Applicant appeared before the Board with his post-graduate supervisor, who testified in support of his application for licensure as a P-LPC. They submitted that the Applicant met the education requirements based on Section 73-30-9 when it stated that “[p]ersons applying for licensure with a master's degree of less than sixty (60) semester hours or ninety (90) quarter hours may complete the additional coursework required without earning an additional degree, provided the coursework is in a regionally or nationally accredited college or university program in counseling or a related field”.

6. Applicant received a Master of Science in Adult Continuing Education with a major in Counseling/Psychology from the University of West Alabama in 2004. This degree did not include sixty (60) semester hours or ninety (90) quarter hours. Applicant argued, however, that he acquired additional hours (but not another degree) to reach the sixty (60)-hour requirement no later than 2006.

7. The evidence of record shows that at the time that the Applicant filed his P-LPC application, Section 73-30-9 had been amended to remove the provision allowing for a person to earn the additional coursework without earning an additional degree.

8. The evidence of record also reveals that the Applicant's Master of Science in Adult Continuing Education is not a qualifying degree for P-LPC licensure in that it is not a Council for Accreditation of Counseling and Related Educational Programs (“CACREP”) degree program nor does it meet the planned structure of a CACREP program as required by Board Rule 4.2 (C).

9. Further, in describing its Master of Science in Adult Continuing Education Program, the University of West Alabama website explains that: “The program does not prepare graduate for licensure. The program is designed for persons who seek to expand their knowledge of counseling psychology, do not plan to immediately pursue licensure as a P-LPC and/or are already licensed in a related field.”

Based upon the foregoing Findings of Fact, the Board makes the following:

CONCLUSION OF LAW

¹ Unless indicated otherwise, all statutory references are to the Mississippi Code of 1972, as amended.

1. The Board has jurisdiction of this matter pursuant to Sections 73-30-7 and 73-30-11. Venue is likewise properly placed before the Board to hear this matter in Jackson, Hinds County, Mississippi.

2. This matter was duly and properly convened and all substantive and procedural requirements under law have been satisfied.

3. Section 73-30-7 authorizes the Board to adopt such rules and regulations as it finds necessary to conduct the business of the Board and to carry out its licensure and regulatory functions.

4. Section 73-30-9 provides that an applicant must furnish the Board with satisfactory evidence that he or she meets the requirements for licensure.

5. By clear and convincing evidence, the Board finds that Applicant has failed to demonstrate that he meets the education requirements necessary for a P-LPC license established by Section 73-30-9 (1) (f) and 30 Miss. Admin. Code Pt. 2201, R. 4.2(C).

Given the entire evidence produced in the record, the Board issues the following order:

ORDER

IT IS THEREFORE ORDERED that Ronny DeLoach's application for licensure in the State of Mississippi is hereby denied.

FURTHER ORDERED that this decision and opinion shall be a final order of the Board and shall be conclusive evidence of the matters described herein.

FURTHER ORDERED that this action and order of the Board shall be public record. It may be shared with other licensing boards (in- and out-of-state) and the public and may be reported to the appropriate entities as required or authorized by state and/or federal law or guidelines. This action shall be spread upon the Minutes of the Board as its official act and deed.

FURTHER ORDERED that upon execution of this Final Order by affixing the Board authorized signature below, the provisions of this Final Order shall become the final order of the Board.

SO ORDERED, this the 14 day of July 2020.

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

BY: Kimberly E. Sallis, Ph.D., LPC-S
Kimberly Sallis, Ph.D., LPC-S
Vice-Chair