

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

IN THE MATTER OF:

**CHRISTINA LASHAY RHODES-FLEMING
433 AUTUMN CREEK DRIVE
RIDGELAND, MISSISSIPPI 39209**

FINAL ORDER

THIS MATTER came before the Mississippi State Board of Licensed Professional Counselors (“Board”) on February 29, 2024, upon Notice to Show Cause for Christina Lashay Rhodes-Fleming, 433 Autumn Creek Drive, Ridgeland, Mississippi 39209 (“Respondent”) to give good cause why her application for licensure should not be denied. A quorum of the Board members was present throughout the hearing and deliberations in this matter.

Respondent, having been properly served, called on the day of the hearing and being fully informed of her rights to a hearing before the Board, did appear at the hearing. Special Assistant Attorney General Alexis E. Morris served as legal counsel for the Board. Investigating Board Member, Richard Strebeck, PhD, LPC-S, NCC, CSAT was called to testify, and the Board’s exhibits were introduced into evidence. Respondent provided testimony and introduced one exhibit into evidence. The case was called for hearing without objection from any party. A court reporter made a record of the proceedings.

Special Assistant Attorney General Kristen N. Love, designated by the Board to serve as its Administrative Hearing Officer, presided over the proceeding and was directed by the Board to prepare its written decision in accordance with its deliberations. The hearing was held pursuant to Title 73, Chapter 30 of the Mississippi Code of 1972, as amended, and pursuant to any and all other applicable Mississippi laws and regulations.

Board member, Richard Strebeck, PhD, LPC-S, NCC, CSAT recused himself from Board deliberations and the decision made by the Board in this matter. Having conducted the hearing in this matter and based upon the exhibits, testimony and the evidence presented, the Board makes the following findings of fact, conclusions of law, and orders 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 professional counseling in the State of Mississippi.

2. MISS. CODE ANN. § 73-30-7 authorizes the Board to adopt such rules and regulations it finds necessary to conduct the business of the Board and to carry out its licensure and regulatory functions.

3. The provisions of Title 73, Chapter 30 of the Mississippi Code of 1972, as amended, and Board rules and regulations permit the Board to deny an application for licensure for an applicant's failure to meet all the requirements for licensure.

4. The provisions of MISS. CODE ANN. § 73-30-11 authorize the Board to conduct hearings upon the request of an applicant denied licensure by the Board under the provisions of Title 73, Chapter 30 of the Mississippi Code of 1972, as amended, or any Board rules or regulations.

5. Respondent was properly noticed of the date and time of the hearing in accordance with MISS. CODE ANN. § 73-30-11.

6. Respondent appeared at the hearing and was represented by an attorney.

7. Respondent applied to the Board for provisional licensure on or about January 22, 2023, wherein she identified the graduate degree for the Board to consider for licensure - a master's degree in clinical mental health counseling conferred on December 8, 2022 by the University of West Alabama located in Livingston, Alabama ("UWA"). Respondent's official transcript verified Respondent completed fifty-one (51) hours of graduate coursework in clinical mental health counseling. Respondent's transcript further established Respondent had also obtained an adult continuing education (ACE) master's degree in counseling and psychology from UWA on March 3, 2017. Respondent listed the following courses when she completed the application's course verification form: Life Span Development and Learning, Multicultural Counseling, Techniques of Counseling, Group Counseling, Career Development, Education Statistics I and II & Diagnostics Tech in Counseling, Techniques of Education Research I and II, Professional Orientation Ethics, Theories of Personality, Marriage and Family Therapy, Psychopathology, and Internship.

8. The Board received correspondence from the Dean of the School of Graduate Studies for UWA, Dr. B.J. Kimbrough dated November 8, 2023, that stated, in part, as follows:

This letter is to confirm that [Respondent] completed all requirements for the Master of Science degree in Clinical Mental Health Counseling in the December 2022 at the University of West Alabama (UWA). Her record for this program includes 9 hours of relevant coursework completed as part of a prior degree in Counseling/Psychology earned here at UWA in 2017 and transferred internally to the Clinical Mental Health Counseling program, for a total of 60 hours of program completion.

The three transferred courses listed in Dr. Kimbrough's letter were Group Counseling, Counseling Multicultural Populations, and Marriage and Family Therapy. According to the letter, Respondent had previously completed these courses in another graduate program and was allowed to transfer these courses, internally, to add "to the 51 credit hours taken as part of the Clinical Mental Health Counseling program, giving [Respondent] a total of 60 academic hours in Clinical Mental Health Counseling." According to the letter, "[i]nternally transferred courses do not appear on the transcript twice, since they were not taken twice."

9. The Board received correspondence from the Registrar, Emily McInnis, dated February 16, 2024, that stated, in part, as follows:

This letter is to confirm that [Respondent] completed all requirements for the Master of Science degree in Clinical Mental Health Counseling in the December 2022 at the University of West Alabama (UWA). Her record for this program includes 9 hours of relevant coursework completed as part of a prior degree in Counseling/Psychology earned here at UWA in 2017 and transferred internally to the Clinical Mental Health Counseling program, for a total of 60 hours of program completion.

The three transferred courses listed in Ms. McInnis' letter were Educational Statistics, Group Counseling, and Counseling Multicultural Populations. According to the letter, Respondent had previously completed these courses in another graduate program and was allowed to transfer these courses, internally, to add "to the 51 credit hours taken as part of the Clinical Mental Health Counseling program, giving [Respondent] a total of 60 academic hours in Clinical Mental Health Counseling." According to the letter, "[i]nternally transferred courses do not appear on the transcript twice, since they were not taken twice."

10. The Board voted unanimously to deny Respondent's application for licensure because Respondent failed to meet the educational requirements for licensure. Respondent's transcript verified only fifty-one (51) semester hours of graduate coursework in a qualifying degree program, as stated in an email to Respondent dated November 21, 2023. Respondent replied to the Board's email with a request to appeal the Board's denial of her application for licensure, received by the Board on November 28, 2023.

11. The Board issued its Notice to Show Cause on February 8, 2024, setting Respondent's requested hearing for February 29, 2024. Respondent waived process via sworn affidavit dated February 13, 2024.

12. The evidence clearly and convincingly establishes that Respondent failed to meet the educational requirements for licensure. Respondent's official transcript verified completion of fifty-one (51) hours of graduate coursework in a qualifying degree which is less than the sixty (60) hours required under the Board's rules and regulations. Respondent testified in detail about why she believed her transcript evidence completion of sixty (60) hours of graduate coursework in clinical mental health counseling. Respondent explained that the nine (9) hours completed while pursuing her (ACE) master's degree in counseling and psychology had transferred internally to Respondent's clinical mental health counseling program for a total of sixty (60) hours. Richard Strebeck, PhD, LPC-S, NCC, CSAT, testified however, that Respondent's official transcript evidenced no such internal transfer. Consequently, Respondent's official transcript evidenced completion of only fifty-one (51) semester hours of graduate coursework in a qualifying degree program and that the fifty-one (51) semester hours did not include four (4) of the twelve (12) content area courses as follows: Social and Cultural Foundations, Group Counseling, Theories of Counseling Psychotherapy and Personality, and Marriage and Family Counseling/Therapy. Moreover, regarding the nine (9) hours referred to in correspondence UWA's Dean of Graduate Studies, Dr. Strebeck, PhD, LPC-S, NCC, CSAT explained that

graduate coursework offered in an adult continuing education program exclusive of a specific plan of instruction to prepare students for a qualifying practicum or internship and ultimately licensure is ineligible for licensure purposes. Consequently, the graduate coursework that Respondent completed while pursuing her ACE master's degree was designed for personal development without developing clinical skills and therefore ineligible for licensure.

CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter pursuant to Title 73, Chapter 30 of the Mississippi Code of 1972, as amended. Venue is likewise properly placed before the Board to hear this matter at its regularly scheduled Board meeting.

2. The provisions of Title 73, Chapter 30 of the Mississippi Code of 1972, as amended, and Board rules and regulations permit the Board to deny an application for licensure for an applicant's failure to meet all the requirements for licensure.

3. The provisions of MISS. CODE ANN. § 73-30-11 authorize the Board to conduct hearings upon the request of an applicant denied licensure by the Board under the provisions of Title 73, Chapter 30 of the Mississippi Code of 1972, as amended, or any Board rules or regulations.

4. This matter was duly and properly convened with all substantive and procedural requirements satisfied.

5. The provisions of MISS. CODE ANN. § 73-30-7 authorize 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.

6. The provisions of MISS. CODE ANN. § 73-30-9 require an applicant furnish the Board with satisfactory evidence of completion of the requirements for licensure.

7. The provisions of MISS. CODE ANN. § 73-30-9(1)(f) set forth the eligibility requirements for provisional licensure. Applicants for provisional licensure must show proof of completion of "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.

8. Under Rule 4.2(B) of the Board's Rules and Regulations, the minimum acceptable hours are sixty (60) semester or ninety (90) quarter-hour master's degree programs. The rule further provides that "[f]or degrees conferred after January 1, 2017, the Board will only accept sixty (60) hours or ninety (90) quarter-hour master's degree programs." Acceptable programs must be either CACREP accredited or programs that include the word counseling in the title and meet the CACREP structure, and include three (3) hour semester coursework or its equivalent in the following areas: Human Growth and Development, Social and Cultural Foundations, Counseling and Psychotherapy Skills, Group Counseling, Lifestyle and Career Development,

Testing and Appraisal, Research and Evaluation, Professional Orientation to Counseling or Ethics, Theories of Counseling Psychotherapy and Personality, Marriage and/or Family Counseling/Therapy, Abnormal Psychology and Psychopathology and Internship.

9. Under Rule 4.2(A) and MISS. CODE ANN. § 73-30-9(1)(f), the Clinical Mental Health Counseling degree as presented on the submitted official transcript from University of West Alabama does not meet the requirements of the fulfillment of coursework in the following areas: Social and Cultural Foundations, Group Counseling, Theories of Counseling Psychotherapy and Personality, and Marriage and Family Counseling/Therapy

10. The evidence clearly and convincingly establishes Respondent failed to demonstrate she meets the education requirements necessary for provisional licensure that are required by the Board's Rules and Regulations.

Based upon its Findings of Fact and Conclusions of Law, the Board finds as follows:

FINAL ORDER

IT IS, THEREFORE, ORDERED that the application for provisional licensure for Christina Lashay Rhodes-Fleming is denied by clear and convincing evidence in accordance with MISS. CODE ANN. § 73-30-9(1)(f) and Rule 4.2(B) of the Board's Rules and Regulations.

IT IS, THEREFORE, 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, 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, upon execution of this Final Order by affixing the authorized signature below, the provisions of this Final Order shall become the Final Order of the Board.

SO ORDERED, this the 22nd day of APRIL, 2024.

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



BY: Kimberly Edam Sallis
KIMBERLY EDAM SALLIS, PhD, LPC-S
BOARD CHAIR

NOTICE OF APPEAL RIGHTS

Christina Lashay Rhodes-Fleming, Respondent, may, within thirty (30) days after the decision of the Board appeal therefrom in accordance with MISS. CODE ANN. § 73-30-11.