

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

In the Matter of:)
)
Donald T. Wright,) **No. 05-2008**
Respondent)

FINAL ORDER

This matter came for hearing before the Mississippi State Board of Examiners for Licensed Professional Counselors (Board) as a result of the Notice of Hearing and Complaint filed on April 17, 2009, and served upon the Respondent, Donald T. Wright on March 13, 2009. The Respondent filed a request for continuance and did not appear for the hearing. Board member Leona Bishop recused herself and did not participate in the consideration or deliberation of this matter. A quorum of Board members was present for the hearing.

Prior to hearing testimony, the Board considered the Respondent's request for a continuance of this hearing. On April 17, 2009, just seven (7) hours prior to the scheduled time for this hearing, the Respondent sent an email to Board members, Attorney Leyser Hayes, and the Board's Executive Director, requesting a continuance of the hearing because he was the only person who could make decisions regarding the health of his eighty-five (85)-year old mother who had been hospitalized when she fell at a nursing home four (4) days prior to the hearing date. The Respondent provided only his email statement in support of his continuance request. He received ample notice of the hearing in this matter. Under these circumstances, the Board determined that the Respondent's request for a continuance was untimely made and based upon unsupported, self-serving allegations alone which were not sufficient to show good cause for continuance of the hearing. Accordingly, the request for continuance was denied and the hearing ordered to proceed as scheduled.

After considering the testimony and the documentary evidence presented at the hearing, including the file on the Respondent at the Board's office, the Board finds clear and convincing evidence of the following Findings of Fact:

FINDINGS OF FACT

1. Donald T. Wright, the Respondent to this action, holds a license to practice as a professional counselor in Mississippi, having been issued Licensed Professional Counselor, Number 1180, on November 18, 2005.
2. Respondent was previously licensed in the State of Alabama as a Licensed Professional Counselor by virtue of a license, number 1648, issued by the Alabama

Board of Examiners in Counseling, which lapsed on July 31, 2006, and was subsequently revoked on August 27, 2008.

3. On or about September 29, 2008, the Board received a copy of a Final Order issued by the Alabama Board of Examiners in Counseling *In the Matter of Donald T. Wright*.

4. The Board, subsequently, filed a Notice of Hearing and Complaint against the Respondent on February 12, 2009, setting this matter for hearing on April 17, 2009. The Respondent was properly served with the Notice of Hearing and Complaint by certified mail, which was directed to the Respondent at his address registered with the Board.

5. Pursuant to the Findings of Fact, Conclusions of Law and Final Order, dated August 27, 2008, and entered by the Alabama Board of Examiners in Counseling:

- a. The Respondent began a counselor/client relationship with Brenda Warbington around June 2005. Respondent and Brenda Warbington began a romantic relationship during the time of the counselor/client relationship. The counselor/client relationship was terminated around August 2005. However, the Respondent continued to see and counsel Brenda Warbington.
- b. On or about August 26, 2005, Brenda Warbington filed for a divorce from her husband, Daren Warbington. Around June 2006 Respondent and Brenda Warbington were married to each other.

The above described Final Order of the Alabama Board of Examiners in Counseling, which was admitted into evidence in the hearing in this matter, is attached hereto and fully incorporated herein.

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

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Sections 73-30-7 and 73-30-21 of the Mississippi Code of 1972, as amended. Venue is likewise properly placed before the Board to hear this matter in Jackson, Mississippi.

2. Pursuant to Sections 73-30-7 and 73-30-21 of the Mississippi Code of 1972, as amended, and Chapter 8 of the Board's *Rules and Regulations*, the Board may, among other things, suspend or revoke a license, refuse to renew a license, reprimand a licensee, and/or impose such other requirements or restrictions on the licensee as the Board finds proper in the matter.

3. The Respondent received due, proper and timely notice of the charges against him, and of the time and place of the hearing. This matter is, therefore, properly before the Board.

4. The Board has complied with all relevant procedural legal requirements.

5. Pursuant to Section 73-30-13 of the Mississippi Code of 1972, as amended, and Chapter 7 of the Board's *Rules and Regulations*, individuals licensed by the Board adhere to the American Counseling Association's *Code of Ethics 2005*.

6. By engaging in a romantic relationship with Brenda Warbington during the counselor/client relationship and, within five (5) years following the last professional counseling contact, as described above in the Findings of Fact, the Respondent violated Sections 73-30-13 and 73-30-21(g) of the Mississippi Code of 1972, as amended, and Chapter 8, Section 1.H and I of the Board's *Rules and Regulations* in that:

- a. He engaged in sexual or romantic counselor-client interactions or relationships with a current client in contravention of Section A.5.a. Of the American Counseling Association's *Code of Ethics 2005*.
- b. He engaged in sexual or romantic counselor-client interactions or relationships with a former client within a period of less than five (5) years following the last professional contact in contravention of Section A.5.b. of the American Counseling Association's *Code of Ethics 2005*.

Based upon the clear and convincing evidence and these Conclusions of Law, the Board makes the following:

ADJUDICATION

The Board orders and directs, for the violations cited herein (separately and jointly), that:

1. The license of Donald T. Wright, Licensed Professional Counselor, Number 1180, is hereby revoked.

2. The Respondent may not apply for license reinstatement prior to the expiration of one (1) year from the date of entry of this Final Order. All current requirements for licensure must be met.

3. This action and order of the Board shall be public record and shall be spread upon the Minutes of the Board as its official act and deed.

SO ORDERED this May, the 6th day of 2009.

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

By: *Carol B. Jones*

Carol Buchanan Jones, PhD, NCC, LPC, Chair
For and on behalf of the Board