

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

In the Matter of:

LASHONNA DENISE FLETCHER,

Respondent

No. 2021-29

FINAL ORDER

THIS MATTER came before the Mississippi State Board of Examiners for Licensed Professional Counselors (“Board”) on August 12, 2022, to determine whether the Respondent, LaShonna Denise Fletcher (“Respondent”) had been conducting telehealth throughout the pandemic and continued to do so without completing her telehealth training and submitting the training to the Board for review. Board Member Dr. Lynn Etheridge recused herself 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.

Alexis Morris, Legal Counsel for the Board, presented the charges regarding conducting telehealth throughout the pandemic without completion of telehealth training and submission of the training to the Board. Respondent, having been served with notice of these proceedings and being fully informed of her rights to a formal hearing before the Board, elected to proceed in the matter and to represent herself. The case was called for hearing without objection from any party.

Royce M. Cole 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. Sometime in late summer 2021, former Board member Steven Stafford (“Mr. Stafford”) served on an interview panel at the University of Mississippi Medical Center. Respondent interviewed for a position before the panel on which Mr. Stafford served.
3. According to Mr. Stafford’s testimony, in response to questions regarding telehealth services, Respondent indicated that she had experience in and had been providing telehealth services. Following the interview, Mr. Stafford contacted LeeAnn Mordecai, Executive Director

of the Board, to determine whether Respondent had the proper certification. He discovered that Respondent lacked the required telehealth training and certification and that the period to obtain certification had expired.

4. On or about October 21, 2021 Mr. Stafford filed a complaint, as a layperson, against Respondent pursuant to Rule 8.2 (Complaint Procedures) of the Mississippi State Board of Examiners for Licensed Professional Counselors Rules and Regulations (“Board’s Rules and Regulations”).

5. On February 14, 2022 the Investigator, Dr. Lynn Etheridge, mailed a letter to Respondent informing her of the complaint against her for allegedly violating Rule 7.5.3 (Practice of Distance Professional Services) of the Board’s Rules and Regulations. Specifically, Respondent was alleged to have practiced telemental health outside the guidelines set forth by the Board. Dr. Etheridge also contacted Respondent by phone about the allegations, and Respondent denied providing telehealth services and knowing Mr. Stafford.

6. Respondent did not submit a written response to the complaint within ten (10) days of receipt of the letter as directed in the letter and as required by Rule 8.2.C.3 of the Board’s Rules and Regulations. Respondent testified that she did not respond to the letter due to illness and was not aware she could ask for additional time to respond. The letter allowed for extensions to respond upon request.

7. Respondent was properly served with notice of the time, place, and nature of the proceedings to be held before the Board. Respondent did not file a written response to the Notice of Hearing and Complaint. When asked the reason, Respondent stated that she was unable to do so due to illness.

8. Respondent appeared before the Board. Respondent submitted that she purchased telehealth training materials sometime in early 2021 and completed over half of the training. She admitted providing telehealth services during the pandemic as authorized by the Governor of the State of Mississippi through the beginning of 2021. However, she testified that she stopped the course in April or May of 2021 for various reasons including health issues, dislike of the training course, and because of the complaint.

9. Additionally, Respondent’s and Mr. Stafford’s testimony differ regarding the job requirements and interview question(s) from the panel about telehealth services. Respondent recalled interviewing at the University of Mississippi Medical Center, stating that telehealth training was not included in the job description. Mr. Stafford contradicted Respondent’s recollection, testifying that the position for which Respondent applied primarily required telehealth training. Respondent also testified to being intimidated by the six-person interview panel and disputed the nature of the question regarding telehealth. Respondent recalled the interview question centering on Mississippi’s telehealth requirements, but again Mr. Stafford

disagreed. He testified that Respondent said that she was currently conducting telehealth when asked during the interview.¹

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

CONCLUSION OF LAW

1. The Board has jurisdiction of this matter pursuant to Sections 73-30-7 and 73-30-21. 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 73-30-21 authorizes the Board to revoke, suspend, assess a civil penalty (fine), place a license holder on probation, refuse to renew a license and/or take other appropriate action with respect to any license for a violation of the laws, rules, and regulations governing licensed professional counselors.

5. The Board finds lack of clear and convincing evidence of a violation of Rule 7.5.3 (Practice of Distance Professional Services) of the Mississippi State Board of Examiners for Licensed Professional Counselors Rules and Regulations.

ORDER

IT IS THEREFORE ORDERED that the complaint against LaShonna Denise Fletcher be dismissed for lack of clear and convincing evidence of a violation of Rule 7.5.3 (Practice of Distance Professional Services) of the Mississippi State Board of Examiners for Licensed Professional Counselors 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.

¹ The evidence of record did not include a job description of or requirements for the position for which Respondent applied, a list of interview questions, or the names of the members of the interview panel.

IT IS THEREFORE ORDERED that this action of the Board shall be public record. It may be shared with other licensing boards (in-and out-of-state) and the public 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 provision of this Final Order shall become the final order of the Board.

SO ORDERED, this the 12th day of September, 2022.

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


Dr. Richard Strebeck, Chair

By and for the Board