

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

In the Matter of:

JENA DENISE YARBROUGH

Cause No. 2025-35

Respondent

AGREED ORDER

This matter comes before the Mississippi State Board of Examiners for Licensed Professional Counselors (Board) concerning an entry of an agreed order regarding Jena Denise Yarbrough (Respondent).

Upon recommendation of the Board's representative in this matter, and with consent of Respondent the parties stipulate and agree to the following:

FINDINGS OF FACT

1. The Board is a duly constituted authority existing within the executive branch of the government of the State of Mississippi and is charged with licensure and regulation of the practice of licensed professional counseling under Title 73, Chapter 30, of the Mississippi Code of 1972, as amended.
2. Respondent is a Licensed Professional Counselor holding license Number 3315 issued by the Board. This license was initially issued on or about June 24, 2025 and is set to expire June 30, 2027.
3. By entering into this Agreed Order, Respondent waives any defect in proceedings before the Board and any further right to notice and hearing under Title 73, Chapter 30 of the Mississippi Code of 1972, as amended, or any other governing laws, rules, and regulations at this time.
4. Respondent had the opportunity at all times to seek advice from competent counsel of her choice. No coercion has been exerted upon Respondent nor have any promises been made other than those reflected in this Agreed Order. Respondent has freely and voluntarily entered into this Agreed Order after the opportunity to consult with legal counsel and being motivated only by the desire to resolve the issues addressed herein and for the purpose of avoiding further administrative or judicial action with respect to this cause.
5. It is expressly understood by Respondent that this Agreed Order is subject to the approval of the Board and shall have no force and effect unless and until signed by the Board. Respondent agrees and authorizes the Board staff and/or legal counsel to present this Agreed Order to the Board for consideration of the terms provided herein. Respondent

further understands and agrees that, in order to make a decision regarding approval of this Agreed Order, discussions must take place between Board members, staff and legal counsel. Should this Agreed Order not be accepted by the Board, Respondent agrees that the presentation to and consideration of the Agreed Order shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings, including serving as arbiter in any hearing regarding Respondent by having considered this matter. Similarly, if this Agreed Order is not accepted Respondent will be free to defend herself in a formal hearing before the Board and no admissions or inferences will be made from Respondent's willingness to have entered into this Agreed Order.

6. Respondent is fully aware of her right to contest charges made against her in a formal hearing. These rights include representation by an attorney at Respondent's expense, the right to a public hearing on the charges filed, the right to confront and cross-examine witnesses, to receive written findings of fact and conclusions of law supporting the decision of the merits of the accusations, and the right to obtain judicial review of the Board's decision.
7. Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of any action taken by the Board and/or its representative(s) in this matter, the Agreed Order and/or the stipulated Findings of Fact, Conclusions of Law and penalty imposed by the Agreed Order.
8. On or before November 30, 2025, the Board received Complaint Number 2025-35 against Respondent and began its investigation. At all times relevant to the allegations in the Complaint, Respondent, a Licensed Professional Counselor (LPC), was employed as a Licensed Professional Counselor at Desoto Family Counseling Center. The Complaint alleged Respondent video recorded a minor client during a play therapy session and posted the video on social media, specifically TikTok, without parental or agency authorization.
9. On or about March 2, 2026, Respondent was notified by certified letter that a complaint had been filed against her and that the Board had initiated an investigation into the allegations. The letter directed Respondent to submit a written response to the allegations outlined in the complaint and summarized in the complaint notification letter. The letter further reminded Respondent of her ethical obligation under ACA Code I.3 to cooperate with the investigation. Respondent failed to submit a written response to the allegations. Respondent attributed health issues she was experiencing at the time for her failure to submit a written response to the Board.
10. On June 12, 2026, during an informal conference with the Board investigator and counsel for the Board, Respondent discussed her current practice and acknowledged that she had been providing tele-mental health services to clients located in Mississippi while she was physically located outside the State of Mississippi, in violation of Rule 7.5.2. Specifically, Respondent stated that she had been providing tele-mental health

services from her residence in West Memphis, Arkansas, to clients located in Mississippi. Respondent further stated that she was unaware that this practice violated Rule 7.5.2 and agreed to immediately cease providing tele-mental health services to Mississippi clients while physically located outside Mississippi unless and until she is properly licensed in the jurisdiction from which she is practicing. Respondent acknowledges that any future violations of Rule 7.5.2 may subject her to additional disciplinary action by the Board.

11. The clear and convincing evidence, if proven at hearing, establishes Respondent is guilty of violating Board Rule 3.2.J.2 - Engaging in the conduct of professional counseling in a grossly negligent or incompetent manner and MISS. CODE ANN. Section 73-20-21(1)(g).
12. Clear and convincing evidence establishes Respondent is guilty of violating American Counseling Association (ACA) Code of Ethics Sections:
 - B.1.c. Respect for Confidentiality;
 - B.3.e. Transmitting Confidential Information;
 - H.2.b. Confidentiality Maintained by the Counselor;
 - H.2.d. Security;
 - B.6.c. Permission to Record;
 - H.6.b Social Media as a Part of Informed Consent;
 - H.6.d Use of Public Social Media;
 - B.5.c. Release of Confidential Information;
 - H.2.a. Informed Consent and Disclosure;
 - H.2.c. Acknowledgement of Limitations; and
 - B.6.a. Creating and Maintaining Records and Documentation.
13. The clear and convincing evidence establishes Respondent is guilty of violating Board Rule 3.2.J.7 – Violation of the ACA Code of Ethics and Standards of Practice adopted by the Board and MISS. CODE ANN. Section 73-20-21(1)(g).
14. The clear and convincing evidence establishes Respondent is guilty of violating Board Rule 3.2.J.8 – Violation of Board rules and regulations and MISS. CODE ANN. Section 73-20-21(1)(g).
15. The clear and convincing evidence establishes Respondent is guilty of violating Board Rule 8.2.C.3 and the American Counseling Association (ACA) Code of Ethics Rule I.3 by failing to cooperate with the complaint investigation.

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

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the subject matter and Respondent under Section 73-30-7 of the Mississippi Code of 1972, as amended. Venue is likewise properly placed before this Board to hear this matter in Jackson, Hinds County, Mississippi.
2. The Board gave Respondent due, proper, and timely notice of the charges against her and has fulfilled all relevant procedural legal requirements.
3. Under MISS. CODE ANN. Section 73-30-21, the Board is authorized to revoke, suspend, refuse to renew a license or the privilege to practice, and/or take other appropriate action with respect to any license for a violation of the laws, rules and regulations governing licensed professional counselors.

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

ADJUDICATION

1. The Respondent's LPC license shall be SUSPENDED for a minimum of six (6) months from the date the Agreed Order is signed by the Board.
2. During Respondent's suspension from practice period, Respondent shall complete nine (9) continuing education hours (CEH) as follows: three (3) hours on confidentiality, three (3) hours on Health Insurance Portability and Accountability Act (HIPAA), and three (3) hours on ethical use of technology and counseling. All CEHS must be approved in advance by the investigating Board member or his designee. These CEHs must be attended in person and onsite and in compliance with Board Rule 6.2. Furthermore, these nine (9) CEHs are in addition to, and do not count toward, the LPC renewal requirements
3. Once the six (6) months suspension and CEH are completed, Respondent may request, in writing, that the Board issue her a "Restricted Status" license. The Restricted Status shall require the Respondent to practice counseling under supervision of an LPC-S for a minimum of twelve (12) months. The terms of the supervision are as follows:
 - a. The LPC-S shall be approved, in writing, by the investigating Board member or his designee.
 - b. A maximum of forty (40) supervised hours may be obtained per work week.
 - c. A maximum of twenty-five (25) hours of direct service may be obtained per forty (40) hour workweek.
 - d. Supervised experience must be documented using the Board's online portal with personal backup copies maintained.
 - e. Once supervision is completed, the LPC-S shall submit a Supervision Form B documenting the experience with recommendation regarding licensure.
 - f. Permission for the investigating Board member, or his designee, to consult with the supervisor shall be granted.

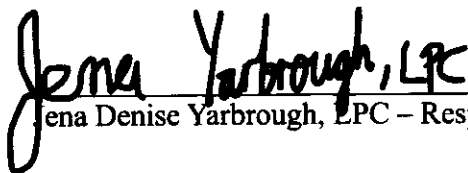
4. Respondent must maintain her LPC license as pursuant to the rules and regulations of the Board.
5. Once Respondent completes the sanctioning, she may request the Board, in writing, to remove the restrictions and return her to Active Status as an LPC.
6. Respondent has until July 31, 2029, to complete the terms and conditions herein.
7. Respondent is aware that if she violates the terms of this Agreed Order or further violates the laws, rules, regulations, and code of ethics governing practice as a licensed professional counselor, the Board may take further disciplinary action against Respondent, up to and including suspension or revocation of her license or privilege to practice.
8. Respondent agrees that this Consent Order is conclusive evidence of the matters described herein and may be considered by the Board in determining appropriate sanctions in the event of subsequent violation by the Respondent.
9. Respondent understands and acknowledges this Agreed Order is a public record and may be shared with other licensing boards and credentialing entities (in-and-out of state) and the public.

SO ORDERED this the 18th day of September 2026.

MISSISSIPPI STATE BOARD OF EXAMINERS
FOR LICENSED PROFESSIONAL COUNSELORS

BY: 
For and on behalf of the Board

AGREED AS TO FORM AND CONSENT:


Jena Denise Yarbrough, LPC – Respondent

Attorney for Respondent (if applicable)