

BEFORE THE
BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS
OF THE STATE OF OREGON

In the Matter of the Continuation)
of the Professional Counselor license of) **FINAL ORDER BY DEFAULT**
) **REFUSAL TO RENEW**
)

Carol A. Burden

On or about July 11, 2000, the State Board of Licensed Professional Counselors and Therapists (Board) served Notice stating that the Board intended to refuse to renew the professional counselor license (C0651) of Carol A. Burden (Respondent). The Notice was served by certified mail to the last known official address. The Notice alleged that Carol A. Burden failed to file an updated professional disclosure statement that could be approved by the Board to meet the requirements for renewal by the statutory deadline of May 1, 2000. The Notice further granted Respondent an opportunity for hearing, if requested within 90 days of receipt of the Notice. No such request for hearing was received by the Board during the specified period. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of the file of the Board relating to this matter at a meeting held October 20, 2000, the Board enters the following Order:

Findings of Fact

1. Respondent's made incomplete application for renewal on March 28, 2000.
2. Respondent's application included a change to the practice address(es) on file with the Board. Respondent removed PSU, Counselor Education as a place of practice.
3. Respondent's last approved disclosure statement on file with the Board, contained two addresses: 19047 Central Point Road in Oregon City, and 615 SW Harrison in Portland (PSU).
4. Respondent was notified by Board in a letter dated March 29, 2000 that the application was incomplete because she needed to file an updated professional disclosure statement, removing the Portland address, to reflect that she has only one place of practice, which is in Oregon City.
5. Respondent submitted an updated professional disclosure statement, postmarked April 5, 2000. The disclosure statement was missing the area code as part of the telephone number listed for place of practice and an incorrect address for the Board. The Board address did not include the telephone number.
6. Respondent was notified by a Board letter dated April 11, 2000 that her updated professional disclosure statement was incomplete, missing her telephone area code, and the Board's current address and telephone number. Respondent was reminded that the document needed to meet all content standards to qualify for approval on or before May 1.
7. Respondent did not submit a corrected professional disclosure statement on or before May 1, 2000.

Ultimate Findings of Fact

Carol A. Burden failed to complete the application process and qualify for renewal by May 1, 2000.

Conclusions of Law

Respondent failed to qualify for renewal because she did not maintain a professional disclosure statement as required by ORS 675.725(2)(d), OAR 833-030-0010(3) which mandates an approved updated professional disclosure statement must accompany renewal if the renewal indicates the one on file can no longer be approved because it may be construed to contain incomplete or misleading information. ORS 675.755(2) and OAR 833-050-0020 (1)(a) requires the address of the licensee's counseling practice. ORS 675.755(3) requires the name, address and telephone number of the Oregon Board of Licensed Professional Counselors and Therapists. Respondent is being refused licensure pursuant to ORS 675.755(2) because of her failure to comply with OAR 833-050-0020(1)(a), and ORS 675.745(1)(d) and (e).

Respondent can no longer renew her license pursuant to ORS 675.725(3) that prohibits renewal of a license that expired for failure to meet the requirements for renewal by May 1.

Opinion

The Board notes that although this license cannot be renewed, an expedited re-licensure process will be available to the licensee for up to two years following expiration of this license.

Order

The professional counselor license of Carol A. Burden expired May 1, 2000 and can no longer be renewed.

Dated this 21st day of November, 2000

State Board of Licensed Professional
Counselors and Therapists


Carol F. Fleming, Administrator

NOTE: You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this Order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.

Certificate of Service

I certify that on November 21, 2000 I served the preceding Final Order Refusal to Renew in a sealed envelope, with postage prepaid, a copy addressed as follows:

Carol A. Burden
19047 Central Pt. Rd
Oregon City, OR 97045


Connie L. Brown, Administrative Assistant
Board of Licensed Professional Counselors & Therapists