

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

In the Matter of:

) Agency Case No. 2005-020
)
)
)
)

SHARON EMERY, LMFT

Respondent.

) **SETTLEMENT AGREEMENT AND**
) **STIPULATED FINAL ORDER**

SETTLEMENT AGREEMENT

1.

The Board of Licensed Professional Counselors and Therapists (Board) is the state agency responsible for licensing, regulating and disciplining Licensed Professional Counselors and Licensed Marriage and Family Therapists in the State of Oregon. ORS 675.705 to 675.835; OAR Chapter 833.

2.

At all relevant time's material herein, Sharon Emery (Respondent) had been licensed with the Board as a Licensed Marriage and Family Therapist, License No. T0387. The Board has jurisdiction over the Respondent under ORS 675.705 to 675.835. Hereinafter Respondent and the Board are collectively referred to as the "Parties."

3.

Respondent provided counseling services to a couple. After four counseling sessions, Partner A chose to discontinue counseling and Partner B continued counseling with Respondent. After the couple separated, Respondent disclosed confidential information in writing to Partner B's attorney about Partner A without a written or oral release of information in violation of ORS 675.765(1).

4.

Once Respondent realized her error, she implemented remedial measures to prevent

similar mistakes from occurring. She contacted a respected University of Oregon Professor in Marriage and Family Therapy. Together, they developed a Plan to meet six (6) times focusing on her decision-making process in specific cases, confidentiality and the LPCT Code of Ethics. According to the Professor, Respondent successfully completed this Plan in 2006.

5.

The Parties desire to settle this matter and, pursuant to ORS 183.415(3), stipulate and agree as follows in full and complete settlement of the complaint currently pending, subject to final approval by the Board:

- 5.1 The Stipulated Final Order below may be issued and entered.
- 5.2 The Stipulated Final Order is a public document.
- 5.3 This Settlement is conditioned upon and subject to final approval by the Board.
- 5.4 This Settlement Agreement and Stipulated Final Order is a public document.
- 5.5 Respondent has been fully advised of her right to notice and a contested case hearing under the Oregon Administrative Procedures Act (ORS Chapter 183), and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Settlement Agreement and Stipulated Final Order.
- 5.6 Entry of the Final Order below in no way limits or prevents further remedies, sanctions, or actions which may be available to the Board to enforce the Final Order, for violations of the Final Order, for conduct or actions of Respondent not covered by the Final Order, or against a party not covered by the Final Order; Respondent acknowledges by her signature below that she fully understands the terms of this Settlement Agreement and Stipulated Final Order. Respondent declares that she has carefully reviewed the terms of this Settlement Agreement and consents to the issuance and entry of the Final Order below, that she knows the contents thereof, that she has had adequate opportunity to consult with others of her choosing, including legal counsel, and that she has voluntarily accepted the terms set forth herein.

6.

This Agreement constitutes the entire agreement between the Parties in accordance with Oregon law. No waiver, consent, modification or change of terms of this Agreement shall bind any party unless in writing and signed by all parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement. The Board and Respondent, by their signatures, hereby acknowledge that they have read this Agreement, understand it, and agree to be bound by its terms and conditions.

IT IS SO STIPULATED AND AGREED TO BY:

Sharon Emery, Respondent

Dated:

1/5/09

**BOARD OF LICENSED PROFESSIONAL
COUNSELORS AND THERAPISTS
State of Oregon**

By:

Marlin Schultz, Chair

Dated:

2/4/09

FINAL ORDER

Based on the stipulations and settlement between the Parties set forth above, which is incorporated herein by this reference, and given Respondent's acknowledgment of her mistake and prompt implementation of remedial measures to ensure such lapse would not occur in the future, it is hereby **ORDERED** that: Discipline, in the form of a **written reprimand**, is imposed on Respondent Sharon Emery for her violation of ORS 675.765(1).

DATED and ISSUED this 5th day of February, 2008.⁹

**BOARD OF LICENSED PROFESSIONAL
COUNSELORS AND THERAPISTS
State of Oregon**

By: 
Marlin Schultz, Chair