

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

In the Matter of the Professional)
Counselor License of)
)
Kenneth W. Gryte) STIPULATED
300 Ellsworth) FINAL ORDER
Albany, OR 97321)

Pursuant to ORS 675.785 and 675.745, the above-entitled matter came before the Board of Licensed Professional Counselors and Therapists (Board) as a result of a complaint by Donette McNeal. On June 22, 1994, the Board proposed to suspend Gryte's license as a professional counselor for breach of confidentiality.

Pursuant to ORS 183.415(5) and OAR 833-50-030, in order to informally dispose of and settle this matter by this stipulated final order (the "Stipulation"), Kenneth W. Gryte (Gryte) and the Board by and through its Administrator make the following statements:

1.

Gryte admits and stipulates that he has been advised of his right to request a hearing in this matter to ORS 183.415(2)(a) and to be represented by counsel that hearing pursuant to ORS 183.415(3).

2.

Gryte waives his right to request such a hearing and waives the right to be represented by an attorney at that hearing.

3.

Gryte waives any and all civil claims or actions against the Board relating to this issue.

4.

The Board and Gryte stipulate to the following: That the Board has jurisdiction, and the right to suspend or revoke a license if the Board were to prove that a licensee violated either the licensure statute or one or more of the rules of the Board, specifically ORS 675.745(1)(d), and ORS 675.825 (1)(c), and OAR 833-60-001.

5.

Gryte admits he entered into a professional relationship with Donette McNeal and her husband Marty McNeal in 1986. Gryte saw the two McNeals together on four occasions in 1986. The final session occurred on November 25, 1986. Gryte considered the counseling relationship with the McNeals to be terminated at that time. In 1988, Mr. McNeal re-established the counseling relationship between himself and Gryte, and had a total of seven counseling sessions in 1988 and 1989. Gryte requested that Mr. McNeal bring Mrs. McNeal to a counseling session in January for the purpose of offering feedback on Mr. McNeal's progress. Mrs. McNeal attended session #7 which was held on January 26, 1989. Mr. Gryte made contemporaneous counseling notes of this session. In December 1991, Mr. McNeal requested that Gryte give a copy of Mr. McNeal's counseling notes to Mr. McNeal's attorney. Gryte complied with that request.

6.

The Board and Gryte agree that this matter may be concluded by the entry of this Stipulation on the following terms:

(A) Gryte denies any violation of statute or rule of the Board, but recognizes that Ms. McNeal may have made a misassumption that statements she made were confidential and subject to counselor/client privilege. Gryte accepts a reprimand by the Board for failure to make sure that a former client was not under the impression that she was still a client.

(B) Gryte agrees to complete a graduate course or workshop or seminar dealing with ethical issues facing mental health professionals. The Board agrees that the five credit hour confidentiality seminar that Gryte attended on June 10, 1994 fully meets this requirement.

(C) Gryte agrees to arrange for clinical supervision by an Oregon licensed mental health professional (LCSW, LPC, LMFT, or psychologist) at least once a month for six months following execution of this agreement. Upon completion, Gryte agrees to ensure that the supervisor will provide written verification of completion of the supervision to the Board.

(D) Gryte agrees to pay a \$100 settlement fee at time of settlement; and

(E) The Board withdraws its proposed order of suspension, and issues this reprimand agreeing to take no other disciplinary action in this case.

7.

If the Board finds, after a contested case hearing, that Gryte has materially violated any of the terms of this Stipulation, that violation shall constitute grounds for the suspension of Gryte's license.

8.

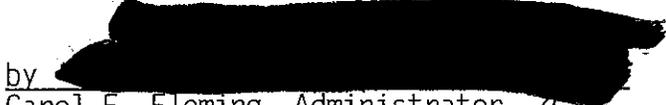
IT IS SO STIPULATED.



Kenneth W. Gryte LPC No. C0157

12/28/94

Date

BOARD OF LICENSED PROFESSIONAL
COUNSELORS AND THERAPISTS

by _____
Carol F. Fleming, Administrator
3218 Pringle Rd, SE, #160
Salem, OR 97302-6312

12-30-94

Date