

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

In the Matter of:	) Case No. 2006-029
	)
<b>HOWARD SHORE, L.P.C.</b>	)
License No. C1917,	)
	)
Licensee.	) <b>SETTLEMENT AGREEMENT AND STIPULATED FINAL ORDER</b>

**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.

2.

At all relevant times, Licensee Howard Shore (Licensee) has been licensed with the Board as a Licensed Professional Counselor. The Board has jurisdiction over the Licensee under ORS 675.705 to 675.835. Hereinafter Licensee and the Board are collectively referred to as the "Parties."

3.

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:

4.1 The Final Order below may be issued and entered;

4.2 In 2001-02 Licensee provided counseling services to a client (Client X)).

Because Client X was experiencing financial difficulties, Licensee provided work to Client X in exchange for counseling services. The work included transcribing notes from one of Licensee's counseling sessions with another client. Based upon the foregoing,

Licensee committed the following violations: (A). Licensee engaged in a dual relationship when he entered into an employment relationship with Client X while still providing counseling services to her in violation of ORS 675.745(1)(d) and OAR 833-060-0001(2)(a)(B); (B). Licensee failed to hold client information in confidence when he allowed Client X to transcribe notes from another client's counseling session in violation of ORS 675.745(1)(d) and OAR 833-060-0001(3); and (C). Licensee failed to limit access to his client records when he allowed Client X to transcribe notes from another client's counseling session in violation of ORS 675.745(1)(d) and OAR 833-060-0001(3)(e).

4.3 This Settlement is conditioned upon and subject to final approval by the Board;

4.4 This Settlement Agreement and Stipulated Final Order is a public document;

4.5 Licensee has been fully advised of his 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;

4.6 Licensee acknowledges by his signature below that he fully understands the terms of this Settlement Agreement and Stipulated Final Order. Licensee declares that he has carefully reviewed the terms of this Settlement Agreement and consents to the issuance and entry of the Final Order below, that he knows the contents thereof, that he has had adequate opportunity to consult with others of his choosing, including legal counsel, and that he has voluntarily accepted the terms set forth herein;

4.7 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 Licensee not covered by the Final Order, or against a party not covered by the Final Order; and

4.8 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 Licensee, 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:**

Howard Shore, Licensee

Dated: 9/30/08

Approved as to Form: D

Dennis Steinman, Counsel for Licensee Shore

Dated: 10/2/08

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

By: Marlin Schultz, Chair

Dated: 10-10-08

////

////

**FINAL ORDER**

Based on the stipulation and settlement between the Parties set forth above, which is incorporated herein by this reference, it is hereby **ORDERED** that:

1. Licensee Howard Shore is required to obtain a supervisor to supervise his work for two (2) hours per month for a minimum of six (6) months to ensure Licensee will adhere to the law and rules governing licensed professional counselors pursuant to ORS 675.745(2)(a). The Board must approve the selection of the supervisor, and such approval will not be unreasonably withheld. The supervisor must prepare a report for the Board documenting the supervision provided and an analysis of whether Licensee has undertaken the appropriate steps to ensure future violations will not occur. The probation imposed will discontinue only after the supervisor selected is able to provide such an analysis;
2. A civil penalty in the amount of \$250.00 per violation for a total civil penalty of **\$750.00** is imposed pursuant to ORS 675.745(4); and
3. The Board's cost of this disciplinary process in the sum of \$808.80 are **ASSESSED** against Licensee, pursuant to ORS 675.745(6) for a total amount of **\$1558.80** due.

DATED and ISSUED this 10th day of October, 2008.

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

By:

Becky Eklund, Executive Director / \_\_\_\_\_