

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

In the Matter of the Professional Counselor )  
License of Deborah L. Wagner )  
)

Final Order by Default  
Case Number 96-CTB-003  
License Number C0207

A Notice of Proposed License Suspension was served upon Licensee Deborah Wagner on May 8, 1995. The notice alleged that the licensee had demonstrated inability to perform the practice of professional counseling by falling asleep during client sessions and by abuse of drugs. The notice further alleged that licensee had failed to seek help with addiction problems, and had used threats and/or the counseling relationship to prevent individuals from participating in the Board's investigation of complaints. The licensee requested a hearing May 31, 1995. A hearing was scheduled for October 25, 1996, but was postponed at the request of the licensee. The matter was rescheduled and a hearing was held November 25, 1996. The Board was represented by Kevin Shuba, assistant attorney general, accompanied by one witness. The licensee did not appear.

NOW THEREFORE, after consideration of the evidence presented in this matter, the Board enters the following Order.

EVIDENTIARY RULING

The video taped testimony of Anne Ryland and Neil Breswick is admitted to evidence as Exhibit 8.

FINDINGS OF FACT

1. Deborah L. Wagner has been licensed by the State of Oregon as a professional counselor in since December 7, 1990.
2. She is also a registered nurse.
3. Licensee is a recovering alcoholic involved in a 12-step program.
4. She has an identified tendency toward drug addiction.
5. Licensee was the subject of an intervention for substance abuse in 1992 that required ongoing counseling and urine testing; however licensee ceased testing and counseling in 1993.
6. She has, or claims to have, various medical conditions that require a variety of drugs for treatment.
7. She has injected drugs prescribed for oral use only and has overused prescription drugs.
8. She has repeatedly fallen asleep during counseling sessions.
9. In 1994 licensee was the subject of a second intervention for substance abuse by, among others, her treating psychotherapist and treating physician; however, licensee refused to cooperate.
10. She has threatened clients who participated in the Board's investigation.
11. She has threatened colleagues and others who participated in the Board's investigation.

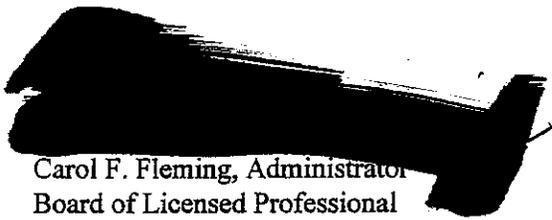
## CONCLUSIONS OF LAW

- A. In violation of ORS 675.745(1)(b) licensee is unable to perform the practice of professional counseling due to drug use and drug addiction.
- B. In violation of ORS 675.745(1)(d) and OAR 833-60-001(1)(b) licensee has failed to seek help with addiction problems.
- C. In violation of ORS 675.745(1)(d) and OAR 833-60-001(2)(e), (4), and (4)(c) licensee has threatened patients, colleagues, and others who participated in the Board's investigation.

## ORDER

The license of Deborah L. Wagner to practice as a licensed professional counselor in the State of Oregon is suspended pursuant to ORS 675.745(1). Wagner may petition the Board to lift the suspension; however, the Board will impose conditions prior to reinstatement of her license.

Dated this 10th day of December, 1996.



Carol F. Fleming, Administrator  
Board of Licensed Professional  
Counselors and Therapists

**NOTICE:** 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.

Service by Certified Mail P 298 595 565 mailed 12/10/96 and first class postage paid mail to following address:

Deborah L. Wagner  
580 Pheasant Run  
Talent, OR 97540