

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

4 In the Matter of:

Agency Case No. 2010-007

5
6 **JEAN P. WRIGHT, LPC,**

7 Respondent.

**NOTICE OF INTENT TO REVOKE LICENSE
AND RIGHT TO REQUEST HEARING**

8 1.

9 The Board of Licensed Professional Counselors and Therapists (Board) is the state
10 agency responsible for licensing, regulating and disciplining licensed professional counselors
11 (LPC), and licensed marriage and family therapists (LMFT). ORS 675.705 to 675.835; OAR
12 833-001-0000 to 833-120-0041.

13 2.

14 Jean P. Wright (Respondent) is licensed as a Professional Counselor. The Board has
15 jurisdiction over Respondent under ORS 675.705 to 675.835. The last address provided by
16 Respondent to the Board is 6512 SW Barnes Road, Portland, Oregon 97225.

17 3.

18 The Board has adopted a Code of Ethics (Code) that applies to all licensees. *See* OAR
19 833, Division 100. The Code “constitutes the standards against which the required professional
20 conduct of licensed professional counselors and marriage and family therapists is measured.”
21 OAR 833-100-0011(1). The Code’s goal is “the welfare and protection of the individuals and
22 groups with whom counselors and therapist work.” *Id.* The Code makes clear that violations of
23

1 its standards are subject to the highest level of discipline – “Violation of the provisions of this
2 code of ethics will be considered unprofessional or unethical conduct and is sufficient reason for
3 disciplinary action, including, but not limited to, denial of license.” *Id.*

4 4.

5 The Code provides that a licensee must act “in accordance with the highest standards of
6 professional integrity and competence.” OAR 833-100-0041(1). The Code also obligates
7 Respondent to provide counseling services “with regard to high ethical standards” (OAR 833-
8 100-0071(1)).

9 5.

10 It is the policy of the State of Oregon to “require mandatory reports and investigations of
11 abuse of children and to encourage voluntary reports.” ORS 419B.007. The law provides that
12 any “public or private official having reasonable cause to believe that any child with whom the
13 official comes in contact has suffered abuse or that any person with whom the official comes in
14 contact has abused a child shall immediately report or cause a report to be made.” ORS
15 419B.010(1). The definition of “public or private official” includes both a LPC and a LMFT.
16 ORS 419B.005(3)(n) & (o). All licensees are required to comply with all applicable statutes and
17 rules related to the counseling profession, including the reporting of child abuse. OAR 833-100-
18 0021(8).

19 6.

20 Here, Respondent engaged in unprofessional, unlawful and unethical conduct when she
21 failed to immediately report suspected child abuse to the appropriate authorities. Respondent
22 failed to satisfy her mandatory child abuse reporting requirement in the following manner:

23 6.1 Respondent began providing counseling services to family (Mother, Father and
children) in 2003. At that time, the family consisted of Mother, Father, oldest son (Son

1 1) and oldest daughter (Daughter 1). Both children had been adopted from a foreign
2 countries and had experienced some problems adjusting to their new home. In 2003, Son
3 1 was eight and Daughter 1 was seven. The parents sought counseling to assist in the
4 adjustment and to prepare the children for the arrival of another adopted child.

5 6.2 Parents adopted another child from a foreign county, Son 2, who was six in 2003.
6 Son 1 was quite jealous of Son 2's close relationship with his sister. Respondent
7 continued to provide counseling to help the entire family adjust.

8 6.3 About one year after Son 2 was adopted, family decided to adopt a fourth child,
9 another girl (Daughter 2) who was five in 2004. Respondent admits that she had access
10 to the Cares Report prepared by Mother that noted Son 1 and Daughter 2 had been found
11 pressed together shortly after Daughter 2's adoption, but Respondent did not follow up on
12 those comments.

13 6.4 All of the children were having adjustment problems. Respondent worked with
14 each child individually and Respondent would include Mother in the sessions as part of
15 the therapeutic process.

16 6.5 In summer 2008, Mother reported to Respondent that Son 2 had seen Son 1 and
17 Daughter 2 under the blankets together. Mother had been abused as a child, so this was a
18 big issue to her. Respondent met with the children individually. Both admitted they had
19 been rolling around and touching each other sexually with their clothes on. Both also
20 admitted this was not the first time, and such activity had previously occurred on several
21 occasions in the family room. Respondent did not report suspected child abuse to the
22 appropriate authorities. As a precaution, Mother moved Daughter 2's bed into the
23 parent's room so Mother could more closely supervise the situation.

1 6.6 By summer 2008, Respondent had diagnosed Mother with heightening depression
2 and noted her unavailability to support and supervise the children. Because the family
3 lived in the country, there were no other children available for the children to play with,
4 so they tended to spend a lot of time with each other. In addition, the children's days
5 were unstructured, so Respondent was aware that the opportunity for additional abuse
6 was a real concern. Respondent relied on Mother for additional reports of sexual abuse
7 between the children.

8 6.7 During summer 2009, family took in another person, an 18 year old girl, who had
9 a falling out with her adoptive parents. This created more stress on the family; Son 1
10 could not adapt to the change in family dynamics, but Daughter 2 was excited to have a
11 sister to play with. Daughter 2 continued to sleep in parent's room because of 2008
12 incident.

13 6.8 In October 2009, Mother reported to Respondent that Daughter 2 had sneaked out
14 of the parent's room and met Son 1 in the family room. Only when Respondent met with
15 each child did they admit touching each other sexually with their clothes on. Despite the
16 fact this was at least the third report of inappropriate sexual contact between Son 1 and
17 Daughter 2, Respondent failed to report sexual abuse to the appropriate authorities.

18 6.9 Respondent continued to provide services to this family. She began to focus her
19 concern on Mother's deepening depression. Respondent determined Mother had
20 developed an addiction to on-line games. Mother stayed up late at night and slept in so
21 she was unavailable to provide supervision to her children. However, Respondent
22 continued to rely on Mother for reports about possible inappropriate sexual contact
23 between the children. This, despite the fact the children complained to Respondent that

1 they were stuck at home, and did not get to do anything or see their friends because of
2 Mother's unavailability.

3 6.10 Mother reported to Respondent at the end of summer 2010 that she had sensed a
4 change between Son 1 and Daughter 2, and talked to them about it. Both admitted to
5 having sexual contact, with Son 1 admitting he had touched Daughter 2's private parts,
6 and Daughter 2 admitting she touched Son 1's penis, and he was ejaculating on Daughter
7 2's leg. The sexual activity was taking place in the family room after Father left for work
8 and before Mother woke up. Respondent did not immediately report this child abuse to
9 the appropriate authorities.

10 6.11 Instead, Respondent met with each child individually and they admitted to the
11 same sexual activities Mother had reported. Both children also admitted the sexual
12 activity had been taking place all summer.

13 6.12 Respondent did not immediately report child abuse to the appropriate authorities
14 even after confirming with both children that such sexual contact had occurred. Instead,
15 she inappropriately met with the two children together, not to talk about the sexual
16 activity, but to discuss their relationship as siblings. After meeting with both children,
17 Respondent did not report suspected child abuse to the appropriate authorities.

18 6.13 Respondent finally decided to consult with a colleague about the situation. The
19 colleague advised Respondent to report the suspected child abuse, which she finally did
20 on September 2, 2010, more than two years after learning about the possible sexual
21 nature of the relationship between Son 1 and Daughter 2.

1 Licensees are also required to provide the parents of their minor clients with access to the
2 child's records. OAR 833-100-0051(12). In situations where the parents are divorced, a licensee
3 cannot provide a copy of the counseling records to the non-custodial parent without written
4 consent. ORS 107.154. However, a licensee is still obligated to *consult with* the non-custodial
5 parent regarding the child's treatment. *Id.*

6 12.

7 In a separate, unrelated incident, Respondent failed to provide any treatment information
8 to the non-custodial parent (Father) or receive any input from Father that might have assisted
9 Respondent in providing services to minor child despite numerous attempts by Father to obtain
10 such information.

11 13.

12 Mother and Father divorced in 2010. Minor Child (Child) lived with Mother. Child was
13 experiencing stress because of the recent divorce. To address the divorce and other issues,
14 Mother decided to take Child to see Respondent. Respondent began providing services to Child
15 in September 2010.

16 14.

17 On December 9, 2010, Father called Respondent asking for a status update on her
18 treatment of Child. Respondent admits she never returned Father's call.

19 15.

20 Respondent discontinued providing services to minor child on December 15, 2010. On
21 January 12, 2011, Father called Respondent again asking for a status update. Because she was
22 no longer providing services to minor child, Respondent admits that she assumed she did not
23 have to return Father's call.

1 16.

2 After Respondent failed to return his telephone calls, Father sent Respondent a letter. In
3 that letter Father made it clear that he was “not interested in interfering with the work you are
4 doing with [Child], and that he understood he was not entitled to access to Child’s records.
5 Instead, Father just wanted to “find out more about what I can be doing to support [Child] and
6 the work you are doing with [Child]” and asked Respondent to contact him “so that we can have
7 a discussion about [Child]”. Instead of contacting Father, Respondent sent Father an email
8 informing him that the sessions had ended and provided a brief summary of Child’s “primary
9 therapy issue.” The email contained no information regarding what Father could do to support
10 his Child and the therapy Child was receiving from Respondent.

11 17.

12 Based on the above, the Board proposes to revoke Respondent’s license for the following
13 reasons:

- 14 A. Respondent failed to immediately report suspected child abuse to the appropriate
15 authorities in violation of ORS 675.745(1)(e), OAR 833-100-0021(8) and ORS
16 419B.010(1);
- 17 B. Respondent ignored her professional responsibility to her client, and failed to take
18 care to do no harm or avoid harming her client when she failed to immediately
19 report the suspected abuse of Daughter 2 to the appropriate authorities in violation
20 of ORS 675.745(1)(e), OAR 833-100-0021(1) and OAR 833-100-0031(1) & (2);
- 21 C. Respondent failed to take care to do no harm or avoid harming her client when
22 she arranged to have the victim of child abuse (Daughter 2) meet with her abuser
23

1 (Son 1) after confirming with both children that sexual contact had been occurring
2 in violation of ORS 675.745(1)(e), OAR 833-100-0031(1) & (2);

3 D. Respondent failed to respond to a non-custodial parent's request to consult with
4 her regarding the services Respondent was providing to the non-custodial parent's
5 child in violation of ORS 675.745(1)(e), OAR 833-100-0051(12), OAR 833-100-
6 0021(8), and ORS 107.154;

7 E. Respondent ignored her professional responsibility to her client, and failed to take
8 care to do no harm or avoid harming her client when she failed to provide
9 treatment information to the non-custodial parent so that the non-custodial parent
10 could support his Child in violation of ORS 675.745(1)(e), OAR 833-100-0021(1)
11 and OAR 833-100-0031(1) & (2); and

12 F. Respondent failed to act in accordance with the highest standards of professional
13 integrity and competence when she engaged in the conduct described above in
14 violation of ORS 675.745(1)(e), OAR 833-100-0041(1) and OAR 833-100-
15 0061(1).

16 18.

17 Given these alleged violations, the Board proposes the following discipline be imposed:

18 A. Respondent's license shall be revoked; and

19 B. Respondent shall pay all costs associated with this disciplinary process, including
20 attorney fees pursuant to ORS 675.745(7).

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22
23 ///

1 may issue a Final Order by Default and revoke Respondent's license. Respondent's submissions
2 to the Board regarding the subject of this Application and all information in the Board's files
3 relevant to the subject of this case automatically become part of the evidentiary record upon
4 default for the purpose of proving a *prima facie* case. ORS 183.417(4).

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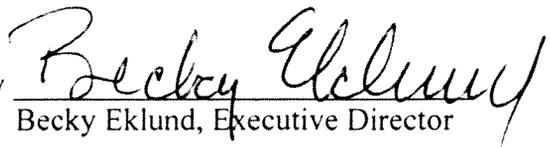
6 DATED: December 18, 2012.

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Oregon Board of Licensed Professional
Counselors and Therapists

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By 
Becky Eklund, Executive Director

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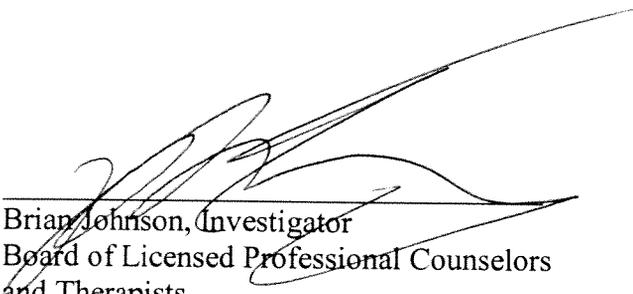
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2 **CERTIFICATE OF SERVICE**

3 I hereby certify that on the 7th day of January, 2013, I served the foregoing **Notice of**
4 **Intent to Revoke License Right to Request Hearing and Notice of Contested Case Rights**
5 **and Procedures** by depositing a true copy of the same in a sealed envelope sent by regular and
6 certified mail, addressed as follows:

7 Jean P. Wright
8 6512 SW Barnes Road
9 Portland OR 97225

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11 
12 Brian Johnson, Investigator
13 Board of Licensed Professional Counselors
and Therapists

14 cc: Kelly M. Gabliks, DOJ
15 Department of Justice
16 General Counsel/Business Activities Section
17 1162 Court Street NE
18 Salem OR 97310
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