

STATE OF OREGON
BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS

In the Matter of the Use of the Titles Licensed
Professional Counselor and Licensed Marriage
and Family Therapist

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**FINAL ORDER BY DEFAULT
ASSESSMENT OF CIVIL PENALTY**

Robyn L. Horrigan
PO Box 3226
Florence, OR 97439

On or about May 20, 1999, the State Board of Licensed Professional Counselors and Therapists (Board) served Notice stating that the Board intended to assess a civil penalty of \$500 against Robyn L. Horrigan. The Notice was served by certified mail. The Notice alleged that Robyn L. Horrigan, aka Robyn Bryan-Horrigan (Bryan-Horrigan) offered the practice of counseling under the title "Licensed Professional Counselor" and the practice of marriage and family therapy under a permutation of the title "licensed marriage and family therapist" without possessing a valid license issued under ORS 675.705 to 675.835. The Notice further granted Robyn L. Horrigan an opportunity for hearing, if requested within 30 days from receipt of the Notice. No such request for hearing was been received by the Board during the specified period. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of the records and files of the board relating to this matter at a meeting held August 20, 1999, the Board enters the following Order.

Findings of Fact

1. Bryan-Horrigan applied for licensure as a marriage and family therapist (LMFT) in the State of Oregon February 12, 1999, but she has not completed the application and the Board has not issued her a license.
2. Bryan-Horrigan has been licensed as a Marriage, Family and Child Counselor, MFC 23548, in the State of California since September 11, 1987.
3. In 1998, Bryan-Horrigan placed an advertisement in the Oregon Coast yellow pages referring to herself as a Licensed Professional Counselor.
4. In December 1998, Bryan-Horrigan taught a grief seminar in Florence Oregon during which she handed out a flyer stating she was a licensed marriage, family and child therapist in private practice in Florence."
5. Bryan-Horrigan, when using the title Licensed Professional Counselor and claiming to be licensed as a marriage, family and child therapist, did not indicate where or by whom she was licensed.
6. Bryan-Horrigan, offered services as a licensed professional counselor and licensed marriage, family and child therapist within the state of Oregon to citizens of the State of Oregon.
7. Bryan-Horrigan, in a response to the notice of proposed civil penalty dated June 15, 1999, admits she is guilty but pleads ignorance that she could not advertise herself as licensed since she was licensed by the State of California. She also stated she did not intend to defend herself and did not request a hearing. Enclosed with her response was a check for the amount of the proposed civil penalty.

Ultimate Findings of Fact

In Oregon, Bryan-Horrigan purported, through publications, to be engaged in practice under the title Licensed Professional Counselor and purported to be licensed under an easily misunderstood permutation of the title licensed marriage and family therapist, licensed marriage, family, and child therapist.

Conclusions of Law

Robyn Horrigan, aka Robyn Bryan Horrigan, violated ORS 675.825(1)(b) and (c). Each violation is a separate violation per ORS 675.825(3). The Board may levy a civil penalty not to exceed \$1,000 for each separate violation.

Opinion

Bryan-Horrigan violated the title act twice: once when placing the yellow pages advertisement and again when handing out the flyer at the seminar. Although the Board could have levied a penalty in the amount of \$2,000, the Board chose to recognize Ms. Horrigan's cooperation and actions to correct her advertising by levying a civil penalty in the amount of \$500.

Order

A civil penalty in the amount of \$500 is hereby levied against Robyn Bryan-Horrigan, aka Robyn Bryan-Horrigan.

The Board hereby acknowledges payment of said civil penalty by Bryan-Horrigan on June 18, 1999.

DATED this 23rd day of August 1999

Board of Licensed Professional Counselors
and Therapists




Carol F. Fleming, Administrator

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.

CERTIFICATE OF SERVICE

I certify that on August 23, 1999, I served the attached Final Order by Default, Assessment of Civil Penalty, by mailing via first class mail in a sealed envelope, with postage prepaid, a copy addressed as follows:

Robyn L Horrigan
PO Box 3226
Florence, OR 97439



Connie L. Brown, Administrative Assistant
Board of Licensed Professional Counselors and Therapists