

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

In the Matter of:

NAVKIRAN K. SINGH, LPC INTERN,

Respondent.

Agency Case No.: 2013-067

**NOTICE OF INTENT TO IMPOSE
DISCIPLINE AND RIGHT TO REQUEST
HEARING**

1.

The Board of Licensed Professional Counselors and Therapists (Board) is the state agency responsible for licensing, regulating, and disciplining licensed professional counselors (LPCs), licensed marriage and family therapists (LMFTs), and registered interns. ORS 675.705 to 675.835; OAR 833-001-0000 to 833-130-0080.

2.

Navkiran K. Singh (Respondent) has applied to be licensed as a Professional Counselor and is currently a Registered Intern. The Board has jurisdiction over Respondent under ORS 675.705 to 675.835. The last address provided by Respondent to the Board is 2675 NE Lancaster Street, Apt #36, Corvallis, OR 97330.

3.

The Board has adopted a Code of Ethics (Code) that applies to all licensees and interns. *See* OAR 833, Division 100; *see also* ORS 675.720(5) (“Registered interns are subject to all ethical standards adopted by the board”). The Code “constitutes the standards against which the required professional conduct of licensed professional counselors and marriage and family therapists is measured.” OAR 833-100-0011(1). The Code’s goal is “the welfare and protection of the individuals and groups with whom counselors and therapists work.” *Id.* The Code makes clear that violations of its standards are subject to the highest level of discipline – “Violation of the provisions of this code of ethics will be considered unprofessional or unethical conduct and is sufficient reason for disciplinary action, including, but not limited to, denial of license.” *Id.*

1 4.

2 The Code provides that an Intern “does not participate in, condone, or become associated
3 with dishonesty, fraud, deceit, or misrepresentation.” Interns are also required to conduct
4 professional services related to counseling “with regard to high ethical standards.” Finally, the
5 Code makes clear that a licensee must act “in accordance with the highest standards of
6 professional integrity and competence” OAR 833-100-0041(1) and “accepts the obligation to
7 conform to higher standards of conduct” OAR 833-100-0061(1).

8 5.

9 Here, Respondent engaged in unethical and unprofessional conduct when she: (1) entered
10 fictitious clients into the clinical database where she worked and on her schedule; (2) left work
11 during times fictitious clients were to be seen; and (3) documented false notes for alleged
12 counseling sessions with the fictitious clients..

13 6.

14 Respondent was hired as a counselor for Cascade Centers, Inc. (Cascade) in Fall 2012.
15 During Fall 2013, Cascade discovered that Respondent had engaged in certain misconduct. This
16 misconduct included putting fictional clients into their database and into Respondent’s schedule,
17 then leaving the office when she was scheduled to be with these fictitious clients. Respondent
18 then documented false case notes for these fictitious clients. Cascade found that Respondent also
19 set up false appointments for previous clients and then told Cascade that the client cancelled or
20 did not show for the appointment so that Respondent could leave work early. Based on this
21 misconduct, Cascade terminated Respondent’s employment on October 14, 2013.

22 7.

23 Respondent admits that she entered false client times into her schedule when she was
24 employed by Cascade.

25 ///

26 ///

8.

Based on the above, the Board proposes to impose discipline on Respondent for the following reasons:

- A. Respondent participated in, condoned or became associated with dishonest, fraud, deceit or misrepresentation when she entered fictitious clients into her employer's database and on her schedule, left work when the fictitious clients were supposed to have been seen and documented false notes for the counseling sessions with these fictitious clients in violation of ORS 675.745(1)(e) and OAR 833-100-0061(2);
- B. Respondent failed to conduct professional services related to counseling with regard to high ethical standards when she entered fictitious clients into her employer's database and on her schedule, left work when the fictitious clients were supposed to have been seen and documented false notes for the counseling sessions with these fictitious clients inappropriately provided counseling services to the children of a close personal friend in violation of ORS 675.745(1)(e) and OAR 833-100-0071(1); and
- C. Respondent failed to act in accordance with the highest standards of professional integrity and competence, and failed to conform to higher standards of conduct and ethics when she engaged in the conduct described above in violation of ORS 675.745(1)(e), OAR 833-100-0041(1) and OAR 833-100-0061(1).

9.

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

- A. Respondent's Internship Registration is suspended for one (1) year, effective immediately.

///

///

- 1 B. If Respondent reapplies for licensure, Respondent's work must be supervised for
2 six (6) months by a Board-approved Licensed Professional Counselor consisting
3 of at least two (2) sessions a month for at least twelve (12) total sessions;
- 4 C. At the end of the six months, the supervisor must prepare a report for the Board
5 assessing whether Respondent has addressed the Board's concerns;
- 6 D. If the supervisor's report concludes that Respondent's conduct has addressed the
7 Board's concerns, then the supervision will terminate unless voluntarily continued
8 by Respondent. If the supervisor's report concludes that Respondent's conduct
9 has not addressed the Board's concerns, the Board will determine whether
10 additional supervision is necessary; and
- 11 E. Respondent shall pay all costs associated with this disciplinary process, including
12 attorney fees pursuant to ORS 675.745(7).

13 **NOTICE OF RIGHT TO REQUEST A HEARING**

14 10.

15 Pursuant to the Oregon Administrative Procedures Act, ORS Chapter 183, Respondent
16 has the right to request a hearing in this matter. A request for hearing must be submitted in
17 writing and must be **received** by the Board, at the following address, during regular business
18 hours, within twenty-one (21) calendar days of the date on which this Notice is mailed:

19 Oregon Board of Licensed Professional Counselors and Therapists
20 3218 Pringle Road SE, Suite 250
Salem, OR 97302-6312

21 If Respondent fails to request a hearing, Respondent's right to a hearing shall be
22 considered waived.

23 11.

24 Pursuant to OAR 833-001-0010 and OAR 833-001-0015, if Respondent requests a
25 hearing, Respondent is further required to promptly file with the Board, at the same time, a

26 ///

1 written Answer that includes a short, plain statement of each relevant affirmative defense
2 Respondent asserts.

3 **NOTICE OF CONSEQUENCES OF FAILURE TO FILE AN ANSWER**

4 12.

5 Pursuant to OAR 833-001-0015(3), if Respondent fails to file an Answer, the following
6 consequences will occur:

- 7 (a) Respondent's failure to raise a particular defense in Respondent's Answer shall be
8 considered a waiver of such defense;
- 9 (b) New matters alleged in Respondent's Answer (affirmative defenses) are presumed
10 to be denied by the Board; and
- 11 (c) Evidence shall not be taken on any issue not raised in the Notice or Respondent's
12 Answer.

13 13.

14 If Respondent requests a hearing, Respondent will be notified of the time and date of the
15 hearing. The hearing will be conducted according to the contested case procedures described in
16 ORS 183.411 to 183.470 and OAR 137-003-0501 to 0700. Respondent has the right to represent
17 herself at such hearing or to be represented by legal counsel. Attached is information on
18 procedures, right of representation, and other rights of Respondents relating to the conduct of the
19 hearing as required by ORS 183.413(2) (Notice of Contested Case Rights and Procedures).

20 **NOTICE TO ACTIVE DUTY SERVICEMEMBERS**

21 14.

22 Active duty service members have a right to stay these proceedings under the federal
23 service members Civil Relief Act. For more information contact the Oregon State Bar at 800-
24 452-8260, the Oregon Military Department at 800-452-7500 or the nearest United States Armed
25 Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

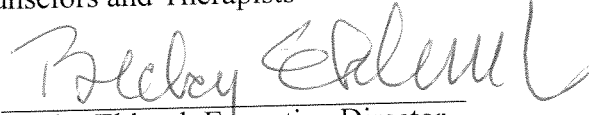
26 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

In the event Respondent fails to request a hearing, withdraws her request for a hearing, notifies the Board or the Administrative Law Judge assigned to this matter that Respondent does not intend to appear for the hearing, or fails to appear for the hearing on this matter, the Board may issue a Final Order by Default and impose the proposed discipline. Respondent's submissions to the Board regarding the subject of this matter and all information in the Board's files relevant to the subject of this case automatically become part of the evidentiary record upon default for the purpose of proving a *prima facie* case. ORS 183.417(4).

DATED: March 17, 2014

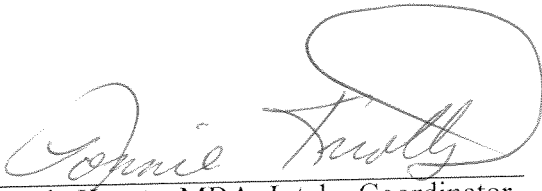
Oregon Board of Licensed Professional Counselors and Therapists

By 
Becky Eklund, Executive Director

1 **CERTIFICATE OF SERVICE**

2
3 I hereby certify that on the 18th day of March, 2014, I served the foregoing **Notice of**
4 **Intent to Impose Discipline and Right to Request Hearing and Notice of Contested Case**
5 **Rights and Procedures** by depositing a full, true and correct copy of the same in a sealed
6 envelope sent by regular and certified mail, addressed as follows:

7
8 Navkiran K. Singh
2675 NE Lancaster Street, Apt #36
9 Corvallis, OR 97330

10
11 
12 Lonnie Knotts, MBA, Intake Coordinator
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