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

In the Matter of: ELIZABETH F. WALLACE, LPC,
Respondent.

HISTORY OF THE CASE

On October 6, 2010, the Board of Licensed Professional Counselors and Therapists (Board) issued a Notice of Intent to Impose Discipline and Right to Request Hearing (Notice) stating that the Board intended to impose discipline on Elizabeth F. Wallace, LPC (Respondent) for various violations of the Code of Ethics.

The Notice was served on Respondent by regular and certified U.S. Mail addressed to Respondent at Respondent’s last known address – 9670 SW Beaverton-Hillsdale Hwy, Beaverton, Oregon 97005 on October 7, 2010. The Notice informed Respondent of her opportunity for a hearing if requested in writing and received within twenty-one (21) days of service of the Notice. The Notice also informed Respondent that if a written request for a hearing is not received within the 21-day period, Respondent’s right to a hearing shall be considered waived. More than 21 days have passed, and Respondent has failed to request a hearing. Respondent is therefore in default. The Notice further informed Respondent that in the event the Board issues a Final Order by Default, the Board designates it file on this matter for purposes of proving a prima facie case.

NOW, THEREFORE, after consideration of the records and files of the Board relating to this matter, including all correspondences and other material received from Respondent, the Board enters the
following Findings of Fact, Conclusions of Law, Opinion and Order.

FINDINGS OF FACT

1. The Board of Licensed Professional Counselors and Therapists (Board) is the state agency responsible for licensing, regulating and disciplining licensed professional counselors, licensed marriage and family therapists and interns.

2. Respondent is licensed as a Professional Counselor (LPC).

3. The Board has adopted a Code of Ethics (Code) that applies to all licensees. See OAR 833, Division 100.

4. In January 2010, Minor Child (MC) was hospitalized after a suicide attempt. Conditions of release included the MC must begin counseling with a trained professional. MC’s Mother (Mother) made an appointment for MC to begin counseling with Respondent.

5. During the first session, which occurred on January 26, 2010, Respondent interviewed MC to assess treatment needs. At that time, Respondent learned that MC had been subject to “physical” discipline by Mother. Respondent did not report the suspected abuse to the proper authorities. Instead, Respondent consulted with her supervisor about the suspected abuse, who advised that she tell Mother “that she cannot use belt for discipline and consider reporting if continues.”

6. The Notice was served on Respondent by certified and regular mail on October 7, 2010. The Notice provided that if Respondent failed to request a hearing, the Board may issue a Final Order by Default and impose discipline and costs.

7. Respondent has never requested a hearing.

CONCLUSIONS OF LAW
1. Respondent is in default.

2. Respondent violated ORS 675.745(1)(e), OAR 833-100-0041(1), OAR 833-100-0061(1), OAR 833-100-0021(8) and ORS 419B.010 when she failed to act in accordance with the highest standards of professional integrity and competence by not immediately reporting suspected child abuse to the appropriate authorities; and

3. Respondent violated ORS 675.745(1)(e), OAR 833-100-0021(1), OAR 833-100-0031(1) & (2), and ORS 419B.010 when she failed to satisfy her professional responsibilities to her client by not immediately reporting suspected child abuse to the appropriate authorities.

**OPINION**

Licensed professional counselors are included in the group of professionals required by law to report any suspected child abuse. As the Oregon Legislature observed in adopting this requirement:

for the purpose of facilitating the use of protective social services to prevent further abuse, safeguard and enhance the welfare of abused children, and preserve family life **it is necessary and in the public interest to require mandatory reports and investigations of abuse of children**.

ORS 419B.007.

The Board takes this responsibility seriously, and the Code of Conduct specifically provides that licensees must comply with all applicable laws, “including, but not limited to, the **reporting of abuse of children** or vulnerable adults” OAR 833-100-0021(8) (emphasis added).
The Board does take note of the fact Respondent consulted with her supervisor about the suspected abuse. However, as a licensee it was Respondent's responsibility to know the law regarding her child abuse reporting obligations, which is why discipline must be imposed.

**FINAL ORDER**

NOW THEREFORE, the Board hereby ORDERS that:

1. Respondent Elizabeth F. Wallace, LPC shall receive a written reprimand;
2. Respondent shall be required to complete a course in child abuse mandatory reporting requirements within one (1) year from the date of this Order, no hours of which may be used to satisfy any continuing education requirements; and
3. Licensee is ASSESSED the Board’s costs associated with this disciplinary process, including attorney fees, in the amount of $506.90, pursuant to ORS 675.745(7).

DATED AND ISSUED this ____ day of December, 2010.

Oregon Board of Licensed Professional Counselors and Therapists

By _____________________________
Ryan Melton, Chair

**NOTICE OF RIGHT TO APPEAL**

You are entitled to judicial review of this Final Order by Default. You may request judicial review by filing a petition for review with the Oregon Court of Appeals in Salem, Oregon within sixty (60) days from service of this Final Order. Judicial review is pursuant to the provisions of ORS 183.482.
CERTIFICATE OF SERVICE

I hereby certify that on the     day of December, 2010, I served the foregoing Final Order by Default Imposing Discipline and Costs by depositing a true copy of the same in a sealed envelope sent by regular mail, addressed as follows:

Elizabeth F. Wallace
9670 SW Beaverton-Hillsdale Hwy
Beaverton, OR 97005

__________________________________
Brian Johnson, Investigator
Board of Licensed Professional Counselors and Therapists

cc: Krystle Gabliks, DOJ
Department of Justice
General Counsel/Business Activities Section
1162 Court Street NE
Salem OR 97310