SETTLEMENT AGREEMENT BETWEEN CARLA HALL AND THE COMMITTEE FOR PROFESSIONAL COUNSELORS

The Committee for Professional Counselors ("Committee") and Carla Hall ("Licensee" or "Hall") enter into this settlement agreement for the purpose of resolving the question of whether Licensee's license as a professional counselor will be subject to discipline and, if so, to agree on the appropriate level of discipline to be imposed upon that license (the "Settlement Agreement").

Pursuant to the terms of Section 536.060 RSMo[1], the parties waive the right to a hearing by the Administrative Hearing Commission and the right to a disciplinary hearing before the Committee per Section 621.110, RSMo, and stipulate and agree to final disposition of this matter by this Settlement Agreement.

Licensee acknowledges that she understands the various rights and privileges afforded to her by law, including the right to a hearing of the charges against her; the right to appear and be represented by legal counsel; the right to have all charges against her proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against her; the right to a decision upon the record by a fair and impartial administrative hearing commissioner concerning the charges pending against her and, subsequently, the right to a hearing before the Committee at which time she may present evidence in mitigation of discipline; and the right to potentially recover attorney's fees incurred in defending this action against her license. Being aware of these rights provided to her by operation of law, Licensee knowingly and voluntarily waives each and every one of these rights and freely enters into this Settlement Agreement and agrees to abide by the terms of this document, as they pertain to her.

[1] All statutory references are to the Revised Statutes of Missouri (2000), as supplemented, unless otherwise indicated.

Licensee acknowledges that she has received a copy of the investigative report and other documents relied upon by the Committee in determining there is cause for discipline, along with citations to law and/or regulations the Committee believes were violated and that she has been advised of her right to consult with private legal counsel, at her expense, to assist her with this matter. For the purpose of settling this dispute, Licensee stipulates that the factual allegations contained in this Settlement Agreement are true and stipulates with the Committee that Licensee's license is subject to disciplinary action by the Committee in accordance with the provisions of Chapters 324, 337and 621, RSMo.

Relevant Statutes and Regulations

1. Section 337.525.2, RSMo, authorizes discipline against a licensed professional counselor and states, in relevant part:

> 2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license required by sections 337.500 to 337.540 or any person who has failed to renew or has surrendered his license for any one or any combination of the following causes:
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> (1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to engage in the occupation of professional counselor;
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> * * *
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> (13) Violation of any professional trust or confidence;
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> 4. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the committee may censure or place the person named in the complaint on probation on such terms and conditions as the committee deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license.

Jointly Stipulated Facts and Conclusions of Law

Licensee and the Committee stipulate and agree to the following findings of fact and conclusions of law:

The Parties

2. The Committee is an agency of the state of Missouri, created and existing pursuant to Section 337.535, RSMo, for the purpose of carrying out the provisions of Sections 337.500 through 337.540, RSMo.

3. Carla Hall, Licensee, is a natural person who has registered her address with the Committee as PO Box 437, Aurora, Missouri, 65605.

4. Licensee holds a licensed professional counselor, license number 2003015849, that was at all times relevant to this Settlement Agreement, and is now, current and active.

Conduct Giving Cause for Discipline

5. Licensee reported to the Committee that she used alcohol to an excessive extent.

6. In 2013, Licensee used alcohol to an extent that it impaired her ability to practice as a professional counselor.

7. In 2013, Licensee voluntarily ceased practice as a professional counselor and sought treatment to assist her to achieve sobriety.

8. Licensee continues to receive professional treatment and participates in a 12 step recovery program to maintain her sobriety.

9. Licensee reports her clean and sober date to be July 7, 2014.

10. Licensee is currently employed on a full time basis and is not currently engaged in practice as a professional counselor.

11. The Committee has cause to discipline Hall's professional counselor license pursuant to Section 337.525.2(1) and (13), RSMo.

Jointly Stipulated Disciplinary Order

The parties agree and stipulate that the following shall constitute the disciplinary order entered by the Committee in this matter pursuant to Sections 337.525 and 621.045.3, RSMo:

12. Hall's professional counselor license is **PUBLICY CENSURED.**

13. The terms of this Settlement Agreement are contractual, legally enforceable and binding, not merely recital. Except as otherwise contained herein, neither this Settlement Agreement nor any of its provisions may be changed, waived, discharged or terminated, except by an instrument in writing signed by the party against whom the enforcement of the change, waiver, discharge or termination is sought.

14. The Committee shall enter no order imposing further discipline on Licensee's license without notice and an opportunity for hearing before the Committee in accordance with the provisions of Chapter 536, RSMo.

15. Licensee, together with her heirs and assigns and her attorney(s), do hereby waive, release, acquit and forever discharge the Committee, its respective members and any of its employees, agents or attorneys, including any former Committee members, employees, agents and attorneys, of, or from, any liability, claim, actions, causes of action, fees, costs and expenses and compensation, including, but not limited to, any claims for attorney's fees and expenses, including any claims pursuant to Section 536.087 RSMo, or any claim arising under 42 U.S.C. § 1983, which may be based upon, arise out of, or relate to any of the matters raised in this case, its settlement or from the negotiation or execution of its settlement. Licensee acknowledges that

this paragraph is severable from the remaining portions of this Settlement Agreement in that it survives in perpetuity even in the event that any court of law deems this Settlement Agreement or any portion thereof void or unenforceable.

16. Each party agrees to pay all their own expenses and fees incurred as a result of this matter or any ensuing litigation.

17. Licensee understands that she may, either at the time the Settlement Agreement is signed by all parties or within fifteen (15) days thereafter, submit the Settlement Agreement to the Administrative Hearing Commission for determination that the facts agreed to by the parties constitute grounds for disciplining Licensee's license(s). If Licensee desires the Administrative Hearing Commission to review this Settlement Agreement, Licensee may submit her request to: Administrative Hearing Commission, Truman State Office Building, P.O. Box 1557, Jefferson City, Missouri 65102.

18. If Licensee requests review, this Settlement Agreement shall become effective on the date the Administrative Hearing Commission issues its order finding that the Settlement Agreement sets forth cause for disciplining Licensee's license. If Licensee does not request review by the Administrative Hearing Commission, the Settlement Agreement goes in to effect 15 days after the document is signed by the Executive Director of the Committee.

19. This Settlement Agreement shall be maintained as an open and public record of the Committee as provided in Chapters 337, 610 and 324, RSMo.

LICENSEE

Carla J. Hall, MS, LPC

Carla Hall, Licensee

Date 2/3/15

COMMITTEE

Loree Kessler

Loree V. Kessler, Executive Director

Date 2/18/15

RECEIVED
FEB 17 2015.