MISSOURI COMMITTEE FOR PROFESSIONAL COUNSELORS

In the matter of the application of:	)
	)
JADA LEA JESSE,	) Application No. 2002032348
	)
for licensure as a Professional Counselor.	)

ORDER GRANTING PROBATIONARY LICENSE AS A PROFESSIONAL COUNSELOR

On December 26, 2006, the Missouri Committee for Professional Counselors (sometimes referred herein as "committee") received an application in proper form from Jada Lea Jesse (sometimes referred to herein as "licensee" or "Jesse") for licensure as a professional counselor.

For the reasons set forth in the findings of fact, however, the committee could deny her license for lack of good moral character and for having practiced professional counseling without a license. The committee, nonetheless, has decided to license Jesse on probationary terms that are set out below.

Findings of Fact

1. Jesse is over the age of 18 years, is a United States citizen, has a master's degree with a major in counseling, has completed acceptable supervised counseling experience, and upon examination, is possessed of the requisite knowledge of the profession for licensure.

2. Jesse's supervised counseling experience was under provided by James McVeigh, a licensed psychologist, at the Women's Eastern Region Diagnostic and Correctional Center.

3. Jesse's supervision with Mr. McVeigh terminated, according to the committee's records, in December, 2004.

4. Jesse continued to work as a provisional licensed professional counselor, albeit unlicensed and without supervision properly registered with the committee.

5. In January, 2006, Jesse transferred to the Moberly Correctional Center, having asserted that she was a provisionally licensed counselor (which was no longer the case), and that she had applied for licensure as a professional counselor (which was not true).

6. Jesse's unlicensed work as a provisional licensed professional counselor continued at the Moberly Correctional Center.

7. In December, 2006, the Moberly Correctional Center learned that Jesse was neither a provisional nor licensed professional counselor, terminated her employment, and notified the committee.

8. In response to the committee's inquiry, Jesse filed a regular application for licensure as a professional counselor in proper form on December 26, 2006.

9. The application of December 26, 2006, included Mr. McVeigh's attestation of post-degree counseling experience, wherein he recommended Jesse for licensure without reservation, a letter from Mr. McVeigh explaining that he had continued to supervise Jesse's work for some time following the formal termination of supervision, and a letter from Jesse explaining the circumstances of her unlicensed practice.

10. In her December 26, 2006, application, Jesse admitted to having a shoplifting conviction from 1973. This information was supplemented by a letter of October 14, 2002, which was filed with her application for registration of supervision, wherein she

explained that the offense was a misdemeanor, that she paid a fine, and that the offense was adjudicated on the Circuit Court of Audrain County, Missouri.

Conclusions of Law

A. Jesse is over the age of 18 years, is a United States citizen, has a master's degree with a major in counseling, has completed acceptable supervised counseling, and upon examination, is possessed of the requisite knowledge of the profession for licensure.

B. Jesse's application fails to show that she is a person of good moral character.

C. Jesse's practice of professional counseling without a license indicates a lack of good moral character.

D. Jesse's conviction for shoplifting indicates a lack of good moral character. There is no indication in the application that the shoplifting conviction was accompanied by any probationary term. But for her unlicensed practice, the committee would have given very little weight to the shoplifting conviction, which is remote in time.

E. The practice of professional counseling without a license is grounds for denial of a license pursuant to sections 337.525.1 and .2(6) RSMo.

F. Shoplifting is a criminal offense reasonably related to the practice of professional counseling, is an offense for which an essential element is dishonesty, and is a crime involving moral turpitude, any of which is grounds for denial of a license pursuant to sections 337.525.1 and .2(2) RSMo.

G. Obtaining the benefits of employment by claiming to have a license that one does not possess is grounds for denial of a license pursuant to sections 337.525.1 and .2(4) RSMo.

H. It is misconduct, fraud, misrepresentation or dishonesty in the performance of the functions or duties of a professional counselor to obtain and maintain employment by claiming to have a license that one does not possess and grounds for denial of a license pursuant to sections 337.525.1 and .2(5) RSMo.

I. Obtaining or maintaining employment as a professional counselor is a violation of the provisions of the professional counselor licensing law and the regulations adopted pursuant thereto, and grounds for denial of a license pursuant to sections 337.525.1 and .2(6) RSMo.

J. Jesse's conduct in using her supervised experience and provisional licensure to practice without a license is a violation of the committee's trust and confidence, and grounds for denial of a license pursuant to sections 337.525.1 and .2(13) RSMo.

K. Jesse's conduct violated the ethical rules of the profession, particularly 20 CSR 2095-3.010(4), and is grounds for denial of a license pursuant to sections 337.525.1 and .2(13) RSMo.

L. Section 620.149 RSMo. permits the committee, when it would otherwise have grounds to deny a license, to issue a probationary license.

Order Granting Probationary License

The committee, having fully considered the application of Jada Lea Jesse, and in consideration of the foregoing findings of fact and conclusions of law, and having considered the explanations of Jesse and the other persons whose correspondence accompanied her application, does hereby grant her a license to engage in the practice of professional counseling, conditioned upon the following terms and conditions for a

period of two years from the date of this order. Jesse is cautioned that the committee will consider the attention to detail that she demonstrates in abiding these terms of probation as indicative of her professional abilities.

I. GENERAL REQUIREMENTS

A. Licensee shall meet with the Committee or its representative at such times and places as required by the Committee after notification of a required meeting.

B. Licensee shall keep the Committee apprized of her current home and work addresses and telephone numbers. Licensee shall inform the Committee within ten (10) days of any change of home or work address and home or work telephone number.

C. Licensee shall comply with all provisions of the Chapter 337, RSMo, as they pertain to the practice of professional counseling; all applicable federal and state drug laws, rules and regulations; and all federal and state criminal laws. "State" here includes the State of Missouri and all other states and territories of the United States.

D. During the probationary period, Licensee shall timely renew her license and timely pay all fees required for licensing and comply with all other Committee requirements necessary to maintain her license in an active and unexpired status.

E. During the disciplinary period, Licensee shall accept and comply with unannounced visits from the Committee's representatives to monitor her compliance with the terms and conditions of this Order.

F. If Licensee fails to comply with the terms of this agreement, in any respect, the Committee may impose such additional or other discipline that it deems appropriate.

G. Licensee shall notify within fifteen (15) days of the effective date of this Order, all facilities where Licensee practices of her probationary status. Any place where licensee's practice begins subsequent to this order shall be informed of the probationary status prior to the start of any professional practice. Notification shall be in writing and Licensee shall, contemporaneously with the giving of such notice, submit a copy of the notice to the Committee for verification by the Committee or its designated representative.

H. For purposes of this Order, unless otherwise specified in this Order, all reports, documentation, evaluations, notices, or other materials required to be submitted to the Committee in this Order shall be forwarded to: Committee for Professional Counselors, 3605 Missouri Boulevard, PO Box 1335, Jefferson City Missouri 65102.

I. This Order does not bind the Committee or restrict the remedies available to it concerning any other violation of Chapter 337, RSMo, by Licensee not specifically mentioned in this document.

II. REQUIREMENT OF SUPERVISED PRACTICE

A. Licensee's practice as a professional during the period of probation shall be supervised by a licensed professional counselor, licensed psychologist, or licensed psychiatrist approved by the Committee for Professional Counselors and not related to the licensee. Licensee shall not begin her practice until she has submitted, in writing, the name of the supervisor and it has been approved by the committee. Licensee shall be responsible for any payment associated with the supervision.

B. In the event the approved supervisor becomes unable or decides not to continue serving in his/her capacity as a supervisor or otherwise ceases to serve as a supervisor during the period of probation, then the Licensee shall:

(1) within three business days of being notified of the supervisor's inability or decision not to continue serving as the supervisor, or otherwise learning of the need to secure a supervisor, advise the Committee for Professional Counselors in writing that Licensee is needing to secure a supervisor and the reasons for such change; and

(2) within twenty business days of being notified of the supervisor's inability or decision not to continue serving as the supervisor, or otherwise learning of the need to secure a supervisor, secure a supervisor pursuant to and in accordance with the terms and conditions set forth in this Joint Stipulation. After twenty business days, the Licensee shall not practice if she has not secured a supervisor.

C. The supervisor shall be vested with administrative authority over all matters affecting the provision of professional counseling services provided by Licensee so that the ultimate responsibility for the welfare of every client is maintained by the supervisor.

D. Licensee's supervisor shall provide a report to the Committee in writing on a quarterly basis during the disciplinary period, detailing the nature of Jesse's practice, evaluating her competency, and reporting any known or suspected violation of the statutes or rules governing the practice of professional counseling. It is Licensee's responsibility to ensure that these reports are provided in a timely manner.

E. If, after one year of supervision, the licensee's supervisor determines that licensee is complying with all licensure requirements, licensee may request a reduction in probation from the committee.

Right to Appeal

As provided by section 620.149 RSMo, Jesse has the right to a hearing before the Administrative Hearing Commission if she files a complaint seeking review of the committee's decision to issue a probated license within thirty (30) days of delivery or certified mailing of this Order. The complaint must comply with the requirements of section 620.149 RSMo. and the statutes governing and the rules of procedure of the Administrative Hearing Commission, and be delivered to the Administrative Hearing Commission, Truman Building Rm. 604, P.O. Box 1557, Jefferson City, Missouri 65102-1557. If the Administrative Hearing Commission does not receive a written request for review within thirty (30) days, the right to seek review of the committee's decision shall be considered waived.

SO ORDERED effective this 6th day of April, 2007.

MISSOURI COMMITTEE FOR PROFESSIONAL COUNSELORS

Loree Kessler
Executive Director