

MARRIAGE & FAMILY THERAPY
PROFESSIONAL COUNSELOR
PO BOX 45044 6TH FLR.
NEWARK, NJ 07102

*Complaint
#20205*

DAVID SAMSON
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Attorney for the Professional Counselor
Examiners Committee

FILE
7/18/02 Day

By: Marilyn Bair
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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
PROFESSIONAL COUNSELOR EXAMINERS COMMITTEE

IN THE MATTER OF :
:
TERRIANA MILNE :
37PC00049500 :
Licensed As A Licensed :
Associate Counselor :
In the State of New Jersey :
_____ :

Administrative Action
CONSENT ORDER

This matter was opened to the New Jersey Professional Counselor Examiners Committee ("the Committee") upon receipt of information that Terriana Milne ("respondent"), a Licensed Associate Counselor ("LAC"), appeared to be engaged in the independent practice of counseling at Inner Vision Spiritual Counseling, Inc. where she is also the Executive Director. It further appeared that she offered counseling services in an

independent practice setting through a website called "Sea Therapy" which was a part of Inner Vision Spiritual Counseling, Inc.

On March 7, 2002, respondent came before the Committee for an investigative inquiry. Respondent was not represented by counsel. At the investigative inquiry, respondent testified that the Sea Therapy website was put on the Internet by her web designer to allow her to view and edit it. She contended that it was not intended to solicit clients and that no potential clients responded to the offer of therapy. However, respondent admitted that the site was operational and accessible to the public for approximately four weeks; and although it consisted of over forty printed pages, the website did not contain the information that it was under construction or that clients were not being solicited. In fact, Sea Therapy advertised on the website a range of therapy options to be provided by respondent under supervision. It further advertised that free sessions were available to individuals who prepaid and who made referrals for therapy. The website directed that payment for Sea Therapy services was to be sent to Inner Vision Spiritual Counseling, Inc. to the attention of respondent.

Respondent also testified that she sees six to seven clients per week for face-to-face therapy at Inner Vision Spiritual Counseling, Inc. where she is the Executive Director and the only practicing therapist. Although she is being supervised for the therapy she provides, the off-site supervisor is not responsible

for collecting fees from clients. Additionally, respondent had represented to the Committee that Inner Vision Spiritual Counseling, Inc. is a non-profit organization. However, a letter subsequently submitted to the Committee by the attorney for Inner Vision Spiritual Counseling, Inc. stated that it is presently in the process of applying for non-profit status. Despite the fact that the organization does not have non-profit status, it advertises itself as a non-profit agency.

Having reviewed the entire record, it appears to the Committee that respondent is engaged in the independent practice of counseling in violation of N.J.A.C. 13:34-10.3(b). Further, respondent failed to comply with N.J.A.C. 13:34-13.2 (d) which requires that the supervisor retain full professional responsibility for collecting fees from clients. Moreover, respondent's offer of free therapy in exchange for prepayment and referrals and her misrepresentation in advertising that the organization was non-profit are contrary to the accepted standards of professional counseling practice as set forth in The American Counseling Association Code of Ethics and Standards of Practice, and such conduct constitutes professional misconduct pursuant to N.J.S.A. 45:1-21(e).

The parties desiring to resolve this matter without recourse to formal proceedings; and therefore, for good cause shown:

IT IS ON THIS 17th DAY OF August 2002,
HEREBY ORDERED AND AGREED THAT:

1. Respondent shall pay a civil penalty in the amount of one thousand, five hundred dollars (\$1,500.00).

2. Respondent shall pay the costs of the investigation in the amount of five hundred and thirteen dollars (\$513.00).

3. Respondent shall pay the above penalty and cost, totaling two thousand and thirteen dollars (\$2,013.00) in ten consecutive, monthly payments with the first payment being in the amount of \$213.00 and remaining nine payments being in the amount of \$200.00. The first payment shall be due on or before August 1, 2002, and the remaining nine payments shall be due on or before the first day of each month until the penalty and costs are paid in full. Payment shall be by certified check or money order, payable to the State of New Jersey, and sent to Dennis Gonzalez, Executive Director, Professional Counselor Examiners Committee, P.O. Box 45044, Newark, New Jersey 07101. If any payment is untimely, the full amount shall be immediately due and payable.

4. Respondent shall take a one semester, graduate level ethics course at an accredited institution. The course shall be pre-approved by the Committee. Respondent shall submit proof of full attendance at and successful completion of the course within

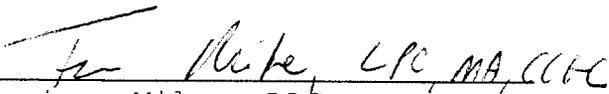
twelve months of the entry of this Consent Order.

NEW JERSEY PROFESSIONAL COUNSELORS
EXAMINERS COMMITTEE



J. Barry Mascari, LPC

I have read the within Consent Order
and understand its terms. I hereby
consent to its entry and to be bound
by the Consent Order's terms.



Terriana Milne, LAC