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 of Marriage and Family Therapy Examiners,
 Professional Counselors Examiners Committee

FILED

 STATE OF NEW JERSEY
 BOARD OF MARRIAGE AND FAMILY THERAPY
 EXAMINERS
 3/8/2008

By: Nancy Costello Miller
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STATE OF NEW JERSEY
 DEPARTMENT OF LAW & PUBLIC SAFETY
 DIVISION OF CONSUMER AFFAIRS
 STATE BOARD OF MARRIAGE AND FAMILY
 THERAPY EXAMINERS, PROFESSIONAL
 COUNSELORS EXAMINERS COMMITTEE

IN THE MATTER OF THE	:	
APPLICATION OF	:	Administrative Action
	:	
LUIS E. HERNANDEZ	:	CONSENT ORDER OF
<i>37PC00374500</i>	:	LICENSURE WITH
FOR LICENSURE TO PRACTICE	:	RESTRICTIONS
PROFESSIONAL COUNSELING	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened before the Professional Counselors Examiners Committee ("Committee") of the New Jersey State Board of Marriage and Family Therapy Examiners ("Board"), upon receipt of an application from Luis E. Hernandez ("respondent") for licensure as a professional counselor. The Committee reviewed of the application and background information, including a Provisional Order of Denial of Licensure issued by the Alcohol and Drug Committee of the Board in December 2005, which related to respondent's

inappropriate conduct with a female subordinate whom he sexually harassed while employed at the Center for Drug Free Living in Florida. Given the pending Committee order, the Committee, in addition to its thorough review of the application, directed respondent to submit to a psychological evaluation.

The Committee has now had an opportunity to review the report of Frank J. Dyer, Ph.D., a licensed New Jersey psychologist. Based on his examination, Dr. Dyer has concluded that while respondent has not yet gained adequate insight into his behavior, "[h]is psychological conflicts evidently do not interfere with his ability to counsel difficult clients under the supervision of an employer." In light of that evaluation and other information in the application record, the Committee has concluded that it will issue respondent a license to practice with restrictions and conditioned on his compliance with certain requirements. Respondent shall be required to attend psychotherapy sessions as directed by this order with quarterly reports to the Committee, shall attend and successfully complete a Committee approved ethics course, and shall not engage in independent practice of professional counseling for at least a year and until further review by the Committee. With these restrictions, the Committee finds that the public health, safety, and welfare will be adequately protected.

THEREFORE, IT IS ON THIS 8th DAY OF May, 2008,
ORDERED AND AGREED

1. Upon payment of all applicable fees, a restricted license to practice professional counseling will be issued to Luis Hernandez, which license is conditioned upon his compliance with the terms of this order.

2. Respondent shall attend individual, insight-oriented psychotherapy to include boundary issues, with a Committee approved psychotherapist at least once per week on an ongoing basis, until such time as the therapist recommends termination and the Committee approves that termination. Respondent shall cause the therapist to provide quarterly reports to the Committee regarding his progress in therapy and the therapist shall immediately report to the Committee in writing any information that reflects that respondent is not able to practice professional counseling consistent with the public health, safety, and welfare.

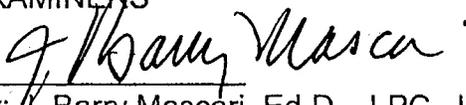
3. Respondent shall not engage in the independent practice of professional counseling for a minimum period of one year. Respondent shall engage in practice only in a supervised setting. Respondent shall provide a copy of this order to his supervisor(s) who shall acknowledge their obligations by signing a copy of the order, which respondent shall return to the Committee. Respondent shall cause his supervisor(s) to provide quarterly reports to the Committee regarding his practice. Such supervisors shall immediately report to the Committee in writing any information that respondent has engaged in behavior that raises issues regarding appropriate professional boundaries, or that is in violation of any statute or regulation governing the practice of professional counseling, or that reflects that respondent is not able to practice professional counseling consistent with the public health, safety, and welfare. Respondent shall provide the Committee with a list of all places of employment and supervisors in each setting.

4. Respondent shall fully attend, successfully complete, and pass an ethics course prior to issuance of his license. Respondent shall complete the ProBE (Professional Problem Based Ethics) course offered by The Ethics Group, 89 Summit Avenue, Suite 185,

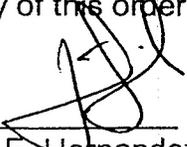
Summit, New Jersey 07901, or the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903, or another course approved by the Committee. Documentation of full attendance and successful completion of the course shall be provided to the Committee prior to issuance of his license.

5. Upon receipt of reliable information that respondent has violated the terms of this order or has engaged in conduct that violates any statute or regulation administered by the Committee, the Committee may move on short notice to temporarily suspend respondent's license to practice professional counseling in this State and, after an opportunity to be heard, to impose such discipline as appropriate.

PROFESSIONAL COUNSELOR EXAMINERS
COMMITTEE OF THE STATE BOARD OF
MARRIAGE AND FAMILY THERAPY
EXAMINERS


By: J. Barry Mascari, Ed.D. , LPC., LCADC

I have read and understand this consent order and agree to be bound by its terms. I consent to entry of this order.



Luis E. Hernandez

4/29/8

Date

I have read and understand the terms of this consent order as it relates to the obligations of a supervisor for the licensee. I agree to supervise Mr. Hernandez and to comply with the terms of this consent order relating to that supervision.

Tracy Hans
(signature)

Tracy Hans, M.S., LPC
(print name and degree and license held)

4/29/08
Date