

STATE OF NEW JERSEY
DIV. OF CONSUMER AFFAIRS
BOARD OF MARRIAGE
& FAMILY THERAPY

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State Board of Marriage and Family
Therapy Examiners

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FILED
January 5, 2009
STATE OF NEW JERSEY
BOARD OF MARRIAGE AND FAMILY THERAPY
EXAMINERS
Elaine R. DeMott

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
PROFESSIONAL COUNSELOR EXAMINERS
COMMITTEE OF THE STATE BOARD OF
MARRIAGE AND FAMILY THERAPY
EXAMINERS

IN THE MATTER OF :
: Administrative Action
EMMANUEL AKPAN :
: :
ENGAGING IN THE UNLICENSED :
PRACTICE OF PROFESSIONAL :
COUNSELING IN THE STATE : CONSENT ORDER
NEW JERSEY :

This matter was opened before the Professional Counselor Examiners Committee (hereinafter "the Committee") of the New Jersey State Board of Marriage and Family Therapy Examiners (hereinafter "the Board") upon review of information that Godfried Baning, LPC, was supervising respondent, an unlicensed counselor, at Mt. Olive Counseling Group, a for-profit counseling setting, located in Ledgewood, New Jersey.

Respondent appeared before the Committee, with counsel, Michael J. Cicala, Esq., pro se, on December 4, 2008 for an investigative inquiry. Respondent testified that has provided counseling services at Mt. Olive Counseling Group for more than one year and admitted that he is not licensed to perform any mental health counseling services in the State of New Jersey. Respondent testified that his counseling services were supervised by Godfried Baning, LPC, and that he verbally advised his clients that Mr. Baning was supervising his counseling services. Respondent admitted that his clients did not sign a written disclosure form acknowledging that his counseling services were under the supervision of a professional counselor.

Having reviewed the entire record, it appears to the Committee that respondent has engaged in the unlicensed practice of professional and/or associate counseling and/or mental health counseling, in violation of N.J.S.A. 45:8B-39(a), as he does not hold any license which would entitle him to provide such services in a for-profit setting in New Jersey.

It appearing that the respondent desires to resolve this matter without further proceedings, and the Committee finding this Consent Order to be adequately protective of the public interest, and other good cause appearing;

IT IS THEREFORE ON THIS 5TH DAY OF February, 2009

ORDERED:

1. Respondent shall immediately cease and desist from offering to engage in or engaging in professional and/or associate counseling and/or mental health counseling, in violation of N.J.S.A. 45:8B-39(a) unless and until he is licensed by the Committee or otherwise licensed

or certified in the State of New Jersey to provide mental health counseling or to engage in professional and/or associate counseling practice pursuant to N.J.S.A. 45:8B-48.

2. None of the supervised hours performed by respondent in any for-profit setting, prior to licensure as an associate counselor, shall count toward the mandatory hours of supervised experience required for licensure as a Professional Counselor.

3. If respondent is granted a license as an associate counselor, respondent shall submit a Proposed Plan of Supervised Counseling Experience form to the Committee prior to engaging in counseling as an associate counselor.

4. If respondent is granted a license as an associate counselor, respondent shall only perform counseling services after a written disclosure is signed by the client, acknowledging that the client has been informed that respondent's services as an associate counselor are rendered under the supervision of a professional counselor.

5. If respondent is granted a license, respondent shall only list or advertise academic degrees he earns at regionally accredited institutions relating to the profession of professional counseling pursuant to N.J.A.C. 13:34:29.4(d)1.

6. Respondent shall pay a civil penalty in the amount of two hundred and fifty dollars (\$250.00). Payment shall be made by certified check or money order, payable to the "State of New Jersey" and sent to Elaine DeMars, Executive Director, Professional Counselor Examiners Committee, P.O. Box 45044, 124 Halsey Street, Newark, New Jersey 07101. The civil penalty shall be paid simultaneously with the signing of the within order.

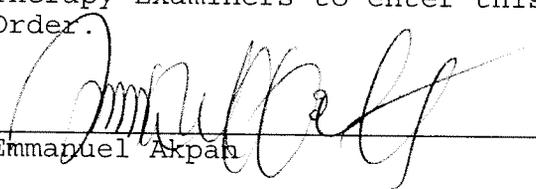
7. Failure to remit payment as required by this Order will result in the filing of a Certificate of Debt and such other proceedings as are permitted by law.

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



J. Barry Mascari, Ed.D., LPC
President

I have read the above Order and I understand and agree to abide by its terms. Consent is hereby given to the Professional Counselor Examiners Committee of the State Board of Marriage and Family Therapy Examiners to enter this Order.



Emmanuel Akpan