

ANNE MILGRAM  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street 5<sup>th</sup> Floor  
P.O. Box 45029  
Newark, New Jersey 07101  
Attorney for the Professional Counselor  
Examiners Committee of the New Jersey  
State Board of Marriage and Family  
Therapy Examiners

By: Susan C. Berger  
Deputy Attorney General  
Tel. No. (973)648-4876

**FILED**

*February 19, 2009*  
STATE OF NEW JERSEY  
BOARD OF MARRIAGE AND FAMILY THERAPY  
EXAMINERS

*Erin T. DeRose*

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

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IN THE MATTER OF THE  
SUSPENSION OR REVOCATION OF  
THE LICENSE OF

Administrative Action

GODFRIED K. BANING, LPC  
LICENSE No. 37PC00358500

CONSENT ORDER

TO PRACTICE PROFESSIONAL  
COUNSELING IN THE STATE  
OF NEW JERSEY

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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 Mr. Godfried Baning, LPC was supervising mental health counseling services performed by Emmanuel Akpan, an unlicensed mental health counselor, in a for-profit setting, Mt. Olive Counseling Group, in Ledgewood, New Jersey.

Respondent appeared before the Committee with counsel, Michael J. Cicala, Esq., on December 4, 2008 for an investigative inquiry. Respondent admitted that he supervised an unlicensed mental health counselor, Mr. Akpan, who performed counseling services for more than one year. Respondent testified that he verbally advised clients that he was supervising Mr. Akpan's counseling services but admitted that he failed to obtain a written disclosure, signed by the clients, acknowledging that the clients had been informed that services were being rendered under respondent's supervision.

Having reviewed the entire record, it appears to the Committee, that respondent as Mr. Akpan's supervisor, aided and abetted the unlicensed practice of professional counseling, in violation of N.J.S.A. 45:1-21(n) and N.J.S.A. 45:8B-39(a). Respondent permitted and supervised Mr. Akpan's counseling in a for-profit setting despite Mr. Akpan's lack of an associate professional counselor license, the minimum requirement for provision of such services in a for-profit setting in New Jersey. Additionally, respondent failed to obtain written disclosures, signed by clients, acknowledging that the clients had been informed that services were rendered under the supervision of respondent, in violation of N.J.A.C. 13:34-13.1. 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 19<sup>th</sup> DAY OF February, 2009

ORDERED:

1. Respondent shall immediately cease and desist from aiding and abetting the unlicensed practice of professional counseling, in violation

of N.J.S.A. 45:1-21(n) and N.J.S.A. 45:8B-39(a) and from failing to obtain signed disclosure forms from clients acknowledging that the clients were informed that counseling services were rendered under respondent's supervision, in violation of N.J.A.C. 13:34-13.1.

2. Respondent is reprimanded for aiding and abetting the unlicensed practice of professional counseling, in violation of N.J.S.A. 45:1-21(n) and N.J.S.A. 45:8B-39(a) and for failing to obtain signed disclosure forms from clients acknowledging that the clients were informed that counseling services were rendered under respondent's supervision, in violation of N.J.A.C. 13:34-13.1.

3. Respondent shall only supervise counseling services performed by an associate counselor after respondent obtains a written disclosure, signed by the client, acknowledging that the client has been informed that the counseling services are being rendered by an associate counselor and under respondent's supervision pursuant to N.J.A.C. 13:34-13.1(a).

4. Respondent shall only list or advertise academic degrees earned at regionally accredited institutions relating to the profession of professional counseling pursuant to N.J.A.C. 13:34-29.4(d)1.

5. Respondent shall pay a civil penalty in the amount of five hundred dollars (\$500.00). 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, Newark, New Jersey 07101. The civil penalty shall be paid simultaneously with the signing of the within order.

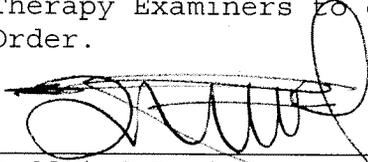
6. Failure to remit payment as required by this Order will result in the filing of a Certificate of Debt and such other proceedings as are permitted by law.

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



J. Barry Mascari, 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.



Godfried Baning, LPC