JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Professional Counselor
Examiners committee of New Jersey
State Board of Marriage and Family Therapy Examiners

By: Shirley Dickstein
Deputy Attorney General
Telephone No. (973) 648-2779

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

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 INACTIVATION OF THE LICENSE OF<br><br>HEATHER DEVENUTO, LPC<br>LICENSE NO. 37PC00405100<br><br>TO PRACTICE PROFESSIONAL COUNSELING IN THE STATE OF NEW JERSEY | Administrative Action<br><br>CONSENT ORDER OF REINSTATEMENT WITH RESTRICTIONS |

This matter was opened to the Professional Counselor Examiners Committee of the New Jersey State Board of Marriage and Therapy Examiners ("Committee") upon receipt of information indicating that Heather DeVenuto ("Respondent") has provided proof of compliance with her Consent Order filed January 23,

2013 sufficient to reinstate her license to engage in the practice of professional counseling, with restrictions as set forth in this Consent Order.

By way of background, on July 20, 2012, the Committee filed a provisional order of discipline ("POD") provisionally suspending Respondent's license to practice as a professional counselor based upon her failure to respond to the Committee's inquiry into her arrest on two charges of N.J.S.A. 2C:20-11B, Shoplifting, N.J.S.A. 2C:29-2B, Attempting to Elude Police, N.J.S.A. 2C:29-2A(3), Resisting Arrest, N.J.S.A. 2C:12-1B(5)(A), Assault on Police and conviction of charges of Shoplifting and Improper Behavior. Respondent had failed to respond to the Committee's request for information and direction to appear at an investigative inquiry on June 7, 2012. In addition, on June 19, 2012, the Committee received information that Respondent was terminated from a group practice after allegedly admitting that she had falsified client signatures on office paperwork.

In response to the POD, Respondent submitted a written response through her counsel, Richard West, Esq., and appeared before the Committee with her counsel on September 6, 2012 for an investigative inquiry.

Subsequently, on January 23, 2013, Respondent entered a Consent Order which placed Ms. DeVenuto's license to practice professional counseling into inactive status ("2013 Order")

pending further order of the Committee and providing that the Committee would not entertain an application by Respondent to reactivate her license for a minimum of six (6) months. The 2013 Order was based upon Respondent's testimony at the investigative inquiry that she was in therapy addressing the issues that led to the arrests and her acknowledgement that she was not fit to practice as a professional counselor at that time.

On March 6, 2014 Respondent appeared with her counsel, Richard West, Esq. at an investigative inquiry before the Committee to request reinstatement of her license. Respondent testified that she is currently working at a community and social service organization, that she feels she is ready to practice as a professional counselor and that she is no longer in crisis. She further testified that she is in biweekly therapy, not taking any medication and that she foresees herself continuing in therapy. Additionally, Respondent has provided an updated service plan from her therapist, and documentation reflecting disposition of the charges against her. In light of Respondent's recent submission, and her testimony at her March 6, 2014 appearance before the Committee, at which she demonstrated to the Committee's satisfaction her fitness to re-enter the practice of professional counseling, the Committee has concluded that it will issue Respondent a restricted license to

practice professional counseling, under the conditions set forth below. With the restrictions and conditions contained in this agreement, the Committee finds that the public health, safety and welfare will be adequately protected.

THEREFORE, IT IS ON THIS 4 DAY OF [illegible] 2014,

ORDERED AND AGREED:

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

2. Respondent shall not engage in the independent practice of professional counseling for a minimum of one (1) year from re-entry into practice, and until further written order of the Committee. Respondent shall engage in practice only in a supervised setting, and in accordance with the requirements of Paragraph 3, 4, 5 and 6 below. Additionally, Respondent is specifically prohibited from working as a mentor through any provider whatsoever.

3. Respondent shall be supervised by a licensed professional counselor ("LPC"), or other supervisor pre-approved by the Committee, who works directly with Respondent at Respondent's place of employment. Respondent's supervisor, upon approval by the Committee, shall sign this Order and submit it to the Committee no less than five (5) days before Respondent

begins employment.

4. Respondent shall cause her supervisor(s) to provide quarterly reports to the Committee documenting (1) any knowledge that Respondent has been arrested, and (2) compliance by Respondent with all statutes and regulations governing the practice of professional counseling including any state or federal statutes or regulations. The supervisor shall submit quarterly reports directly to the Committee, and such reports shall not be shared with Respondent until after they have been submitted to the Committee. Such supervisor shall immediately (within two (2) business days of obtaining knowledge of the occurrence) report to the Committee orally and in writing any information that Respondent has been arrested or may be 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.

5. Respondent shall provide the Committee with a list of all places of employment and proposed supervisors in each setting at least five (5) days prior to commencing employment.

6. In the event any supervisor's relationship with Respondent is terminated for any reason, or Respondent proposes to begin working under a different supervisor, the supervisor who is a signatory to the agreement shall immediately (within

two (2) business days of termination) notify the Committee in writing providing detailed reasons for the change.

7. The Committee shall not entertain an application by Respondent to lift any of the restrictions contained herein for a minimum of one (1) year from the date of entry of this Order.

Prior to any such application by Respondent, Respondent shall submit to the Committee documentation of her personal and professional rehabilitation sufficient to establish her ability to safely engage in independent practice. The Committee may require Respondent to appear and provide additional documentation before making a determination lifting any of the restrictions contained herein, and reserves the right to retain some or all of these restrictions.

8. Respondent hereby consents to the entry of an Order of automatic suspension of his license to practice professional counseling in this State, without notice, upon the Committee's receipt of any information which the Committee in its sole discretion deems reliable that Respondent has failed to comply with any of the terms of this Order or has engaged in conduct that violates any statute or regulation administered by the Committee. Respondent may upon five (5) days' notice, request a hearing to contest the entry of such an order. At any such hearing, the sole issue shall be whether any of the information relied upon by the Committee was materially false.

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

By: _____
William Green, L.R.C.
Committee Chair

_____
Heather DeVenuto, Respondent

Dated: 7/24/14

I consent as to the form
and entry of this Order.

_____
Richard West, Esq.

Dated: 8/1/14

I have read and agree to the
Reporting and supervision
Requirements, in accordance
With Paragraphs 3,4 and 6
of this Order.

_____
[Name]
Supervisor

Date: 7/30/14