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Examiners, Alcohol and Drug Counselor Committee

FILED  
8 May 2015  
STATE OF NEW JERSEY  
BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS  
ALCOHOL AND DRUG COUNSELOR COMMITTEE  
*Milagros Bullock*

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

IN THE MATTER OF THE APPLICATION OF :

RODNEY HERRING

TO BE LICENSED AS A CLINICAL  
ALCOHOL AND DRUG COUNSELOR  
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

The New Jersey State Board of State Board of Marriage and Family Therapy Examiners, Alcohol and Drug Counselor Committee ("Committee"), reviewed the application of Rodney Herring ("Mr. Herring") to be licensed as a clinical alcohol and drug counselor. That information included a report from Cynthia Paglio-Minni, LCADC, that she would no longer be supervising Mr. Herring and that he had been dismissed from his employment at Intervention Specialists in Elizabeth, New Jersey, based on his relationship with a client, a relationship the supervisor reported was ongoing both prior to

her becoming a client and while she was a client.

Mr. Herring provided a letter to the Committee in July 2013, in which he acknowledged that he had been in a relationship with a woman who was referred to Intervention Specialists. He claimed to have ended the relationship at intake and, while she was a client, "tried to help her with her issues...." On June 27, 2014, Mr. Herring appeared without counsel, at an investigative inquiry. He testified that he was in a relationship with B.N. beginning prior to the time she came to Intervention Specialists, referred by the Substance Abuse initiative. He admitted that he did not inform the agency owner or any other person at Intervention Specialists that he had been in a relationship with B.N. While he stated that he assigned B.N. to a group that he did not lead, he admitted that he did not discuss with B.N. that the relationship had ended. Although Mr. Herring stated that B.N. asked him not to report her positive drug screens, Mr. Herring insisted that those screens were reported. His employment was terminated when the owner of Intervention Specialists learned that he had a dual relationship with B.N.

During the inquiry, Mr. Herring discussed the multiple positions he has held over the last decade related to drug and alcohol counseling. He engaged in drug and alcohol counseling with no credential authorizing his practice and often with no supervision. He admitted that he had not read the laws and regulations related to alcohol and drug counseling. Although he has a Master's degree in social work, he has not applied for a social work license.

Mr. Herring told the Committee that he had learned from the experience and was working toward completing the requirements for licensure as a clinical alcohol and drug counselor. Since his appearance, Mr. Herring has passed the oral and written

examinations required for licensure.

After review of the record, including Mr. Herring's testimony, the Committee has determined to issue a license as a clinical alcohol and drug counselor subject to the restrictions in this consent order. Mr. Herring's relationship with B.N., his failure to recognize it as a dual relationship, and his failure to take steps to notify his employer and supervisor of the issue, indicate that Mr. Herring fundamentally lacks an understanding of the obligations and responsibilities of drug and alcohol counselors toward the clients they serve. If he is to be believed, Mr. Herring now has a better understanding of his role. But to ensure that he knows and maintains appropriate boundaries, he must practice with the restrictions outlined in this order. The Committee will not tolerate any violation of those boundaries in the performance of his counseling duties.

The parties desire to resolve this matter without recourse to formal proceedings, and Mr. Herring has expressly waived his right to be further heard in this matter, and the Committee finds that entry of this Consent Order adequately protects the public health, safety, and welfare, and for good cause shown:

IT IS ON THIS 8 DAY OF May, 2015,

HEREBY ORDERED AND AGREED THAT:

1. Rodney Herring is reprimanded for his conduct in failing to maintain appropriate boundaries in interactions with clients.
2. Rodney Herring's application for licensure as a clinical alcohol and drug counselor is granted subject to the restrictions in this consent order.

3. Mr. Herring shall notify the Committee of the name and address of all his employer(s) prior to commencing employment. He may not engage in the private practice of alcohol and drug counseling.

4. Mr. Herring shall work only under the supervision of a Committee-approved supervisor for a minimum of two years, beginning with the filing of this order and until further order of the Committee relieving him of the requirement that his supervisor be pre-approved. During the period that Mr. Herring works under supervision, he may not supervise certified alcohol and drug counselors, interns, or students.

(a) Mr. Herring shall advise the Committee of the name and address of his proposed supervisor(s). The supervisor(s) must hold a current, valid CCS credential (Certified Clinical Supervisor).

(b) Mr. Herring's supervisor(s) shall be provided with a copy of this order and shall sign the attached acknowledgment indicating that he or she has read the order and agrees to supervise Mr. Herring, and to provide quarterly reports to the Committee regarding his practice, including maintenance of boundaries. The copy of the consent order signed by the supervisor must be provided to the Committee prior to Mr. Herring beginning employment. Reports shall be sent to Milagros Collazo, Executive Director, Alcohol and Drug Counselor Committee, P.O. Box 45050, Newark, New Jersey, 07101. The first quarterly report is due ninety days after beginning employment. The supervision may be compensated or uncompensated, but costs related to supervision shall be borne by Mr. Herring.

(c) Mr. Herring shall meet not less than once a week with his supervisor; not more than half of the weekly supervision meetings may be group supervision.

(d) At least 10 days prior to changes in supervisors or employment, Mr. Herring shall submit to the Committee written notification of the change(s), and appear before the Committee if so requested. The Committee reserves the right to grant or deny approval of the proposed supervisor or employment.

(e) All supervisors signing this order agree to submit quarterly reports as required by subparagraph (b) above and to submit written notification immediately to the Committee if Mr. Herring: engages in any activity that violates this consent order; engages in conduct that demonstrates boundary violations; or engages in conduct that appears to violate the statutes or regulations governing the practice of alcohol and drug counseling. For purposes of this section, "immediately" means notifying the Committee within 24 hours by phone (973-504-6582), and following up with written notification within 72 hours. If supervision is terminated, the supervisor must provide the reason(s) for ending the supervision. The supervisor agrees to send written notification regarding any change in supervision within ten (10) days of the change. Notifications shall be sent to Milagros Collazo at the address in subparagraph (b) above.

5. Not later than May 31, 2016, Mr. Herring shall fully attend and successfully complete a three credit, graduate level course in ethics at an accredited college or university. The course shall be pre-approved by the Committee. Proof of a passing grade shall be submitted to the Committee within two weeks of the course grade being issued by the academic institution.

6. Mr. Herring may apply for relief from the restrictions in this order not sooner than two years from its entry or at the conclusion of two years of practice under supervision, whichever is later. At the Committee's discretion, he may be required to

appear before the Committee. The Committee reserves the right to continue the restrictions in this consent order or place other restrictions on Mr. Herring's license at that time should the Committee's review of his practice demonstrate that such restrictions are warranted.

7. Mr. Herring shall notify the Committee within 72 hours of any arrest for, or charges of, any crime or offense involving moral turpitude or relating adversely to the profession of alcohol and drug counseling, and/or any actions taken by his employer(s) related to his professional practice. Notice shall be sent to Ms. Collazo at the address in paragraph 2(b) above.

8. Failure to comply with any of the terms of this consent order may result in disciplinary action, including but not limited to suspension or revocation of license.

NEW JERSEY STATE BOARD OF MARRIAGE AND  
FAMILY THERAPY EXAMINERS,  
ALCOHOL AND DRUG COUNSELOR COMMITTEE

By: Edward G. Reading LCADC  
Edward G. Reading, Ph.D., LCADC  
Committee Chair

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

Rodney Herring  
Rodney Herring

4/22/15  
Date

STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
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SUPERVISOR'S  
ACKNOWLEDGMENT

I have read and understand the attached Consent Order. I agree to supervise Rodney Herring's practice of clinical alcohol and drug counseling during face-to-face and group sessions, and to report to the Committee regarding his practice as set forth in this Consent Order.

  
Supervisor's signature

Print Name: Malachi Walton

License Number: 37LCO012000 (LCADC)  
37PC00412500 (LPC)

Tel. Number: (973) 981 - 8068 ext. \_\_\_\_\_

4/22/15  
Date

Team Management 2000 Inc., 84 Main St., Hackensack NJ 07601  
Print name and address of employer of Mr. Herring