

1 4. Respondent acknowledges and agrees that upon signing this Consent
2 Agreement and returning it to the Board's Executive Director, Respondent may not revoke her
3 acceptance of this Consent Agreement or make any modifications to it. Any modification of this
4 original document is ineffective and void unless mutually approved by the parties in writing.

5 5. The findings contained in the Findings of Fact portion of this Consent Agreement
6 are conclusive evidence of the facts stated herein and may be used for purposes of determining
7 sanctions in any future disciplinary matter.

8 6. This Consent Agreement is subject to the Board's approval, and will be effective
9 only when the Board accepts it. In the event the Board in its discretion does not approve this
10 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,
11 nor shall it be relied upon or introduced in any disciplinary action by any party hereto, except
12 that Respondent agrees that should the Board reject this Consent Agreement and this case
13 proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its
14 review and discussion of this document or of any records relating thereto.

15 7. Respondent understands that once the Board approves and signs this Consent
16 Agreement, it is a public record that may be publicly disseminated as a formal action of the
17 Board, and that it shall be reported as required by law to the National Practitioner Data Bank.

18 8. Although Respondent does not agree that all the Findings of Fact set forth in this
19 Consent Agreement are supported by the evidence, Respondent acknowledges that it is
20 the Board's position that, if this matter proceeded to formal hearing, the Board could establish
21 sufficient evidence to support a conclusion that certain of Respondent's conduct constituted
22 unprofessional conduct. Therefore, Respondent has agreed to enter into this Consent
23 Agreement as an economical and practical means of resolving the issues associated with the
24 complaint(s) filed against her. Further, Respondent acknowledges that the Board may use the
25

1 evidence in its possession relating to this Consent Agreement for purposes of determining
2 sanctions in any further disciplinary matter.

3 The Board issues the following Findings of Fact, Conclusions of Law and Order:

4 **FINDINGS OF FACT**

5 1. Respondent is the holder of License No. LPC-1827 for the practice of
6 professional counseling in the state of Arizona.

7 2. For approximately 15 years, Respondent maintained a private practice where
8 she provided behavioral health services.

9 3. From approximately 2007 – 2011, Respondent provided behavioral health
10 services to an adult female client (“Client”) and her husband (“Husband”).

11 4. Respondent acknowledges the following:

12 a. Respondent is the founder of a non-profit organization (“NPO”).

13 b. During the course of Client and Husband’s treatment with Respondent, both
14 Client and Husband became involved in NPO.

15 c. Respondent and Client discussed dual relationship conflicts at the time they
16 occurred.

17 d. Respondent did not inform the NPO board that Client was also her
18 counseling patient.

19 e. Around 06/10, Respondent began to recognize Client’s anxiety over their dual
20 relationship.

21 f. At that time, Respondent promptly validated her experience and began the
22 process of terminating counseling.

23 g. Client however, was adamant about staying involved in NPO.

24 h. Respondent and Client both agreed that Client’s continued involvement in
25 NPO was beneficial to her and her healing.

- 1 i. Several months later, Client requested additional counseling sessions, which
2 Respondent provided and documented.
- 3 j. Client and Husband participated in a NPO conference in Mexico.
- 4 k. On one occasion, Client and Husband invited the NPO team to their home for
5 dinner and a meeting.
- 6 l. On another occasion, Client attended Respondent's daughter's engagement
7 party at Respondent's house.

8 **CONCLUSIONS OF LAW**

9 1. The Board has jurisdiction over Respondent pursuant to A.R.S. § 32-3251 *et seq.*
10 and the rules promulgated by the Board relating to Respondent's professional practice as a
11 licensed behavioral health professional.

12 2. The conduct and circumstances described in the Findings of Fact constitute a
13 violation of A.R.S. § 32-3251(12)(y), engaging in a dual relationship with a client that could
14 impair the licensee's objectivity or professional judgment or create a risk of harm to the client.
15 For the purposes of this subdivision, "dual relationship" means a licensee simultaneously
16 engaged in both a professional and nonprofessional relationship with a client that is avoidable
17 and not incidental.

18 **ORDER**

19 Based upon the foregoing Findings of Fact and Conclusion of Law, the parties agree to
20 the provision and penalties imposed as follows:

- 21 1. As of the effective date of the Consent Agreement, Respondent shall not practice
22 under her license.
- 23 2. Respondent's license, LPC-1827, by rule, expired on 08/31/15.
- 24 3. Respondent agrees not to renew her license.
- 25

1 4. Respondent agrees not to submit any type of new license application to the
2 Board for a minimum of five (5) years.

3 GENERAL PROVISIONS

4 5. Respondent shall bear all costs relating to implementation of the practice
5 termination plan.

6 6. Respondent shall be responsible for ensuring that all documentation required in
7 this Consent Agreement is provided to the Board in a timely manner.

8 7. This Consent Agreement is conclusive evidence of the matters described herein
9 and may be considered by the Board in determining appropriate sanctions in the event a
10 subsequent violation occurs.

11 8. This Consent Agreement shall be effective on the date of entry below.

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13 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

14 Celestia Tracy
15 Celestia G. Tracy

October 22, 2015
Date

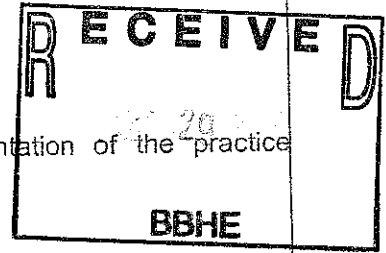
16 **BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

17 Dated this 9th day of November, 2015.

18
19 By: Tobi Zavala
20 TOBI ZAVALA, Executive Director
21 Arizona Board of Behavioral Health Examiners

22 ORIGINAL of the foregoing filed
23 This 9th day of November, 2015 with:

24 Arizona Board of Behavioral Health Examiners
25 3443 N. Central Ave., Suite 1700
Phoenix, AZ 85012



1 **COPY** of the foregoing mailed via Interagency Mail
This 9th day of November, 2015, to:

2
3 Marc Harris
4 Assistant Attorney General
5 1275 West Washington
6 Phoenix, Arizona 85007

7 **COPY** of the foregoing mailed via
8 Certified mail no. 70142870000189573965
9 This 9th day of November, 2015, to:

10 Celestia G. Tracy
11 Address of Record
12 Respondent

13 **COPY** of the foregoing mailed via Mail
14 This 9th day of November, 2015 to:

15 Faren Akins
16 7702 East Doubletree Road, #300
17 Attorney for Respondent
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