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BEFORE THE STATE BOARD OF PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS

STATE OF IDAHO

In the Matter of the License of: KATHERINE CRISTINE WOLFF, License No. LCPC-2699 Respondent.	Case No. COU-P4B-03-01-001 COU-P3C-03-02-006 **FINAL ORDER**

THIS MATTER came before Jean R. Uranga, the designated Hearing Officer. The State appeared by its attorney of record, Stephanie N. Guyon, Idaho Deputy Attorney General. Respondent, Katherine Cristine Wolff, represented herself in this proceeding. Thereafter, the Hearing Officer conducted a hearing on the matter on July 30, 2004. On August 17, 2004, the Hearing Officer submitted her Findings of Fact, Conclusions of Law and Recommended Order and Schedule of Review. On August 25, 2004, the Respondent submitted a letter to the Hearing Officer requesting reconsideration of the Findings of Fact, Conclusions of Law and Recommended Order. On or about September 3, 2004, the Hearing Officer issued her order denying Respondent's request for reconsideration.

This matter then came before the Idaho State Board of Professional Counselors and Marriage and Family Therapists at a specially scheduled meeting on October 21, 2004. After a full review of the record in this matter, and good cause appearing therefor, the Board unanimously adopted the following Order.

IT IS HEREBY ORDERED as follows:

1. The Board adopts the Hearing Officer's Findings of Fact and Conclusions of Law, and incorporates the same herein by this reference.

2. That Respondent failed to pay the fine in the amount of $1,000.00, pursuant to the Stipulated Remand and Final Order in Case Nos. COU-P4B-03-01-001 and COU-P3C-03-02-006, and such conduct constitutes a default under said agreement and Final Order. Further, that Respondent's actions and conduct which formed the basis for her criminal conviction of misdemeanor battery in *State of Idaho v. Katherine Cristine Wolff*, Case No. CR-04-1394, in Twin Falls County, Idaho, constitutes grounds for additional disciplinary action against Respondent's license to practice counseling in the state of Idaho pursuant to Idaho Code Section 54-3407(5), I.D.A.P.A. 24.15.01.350, and the applicable American Counseling Association Code of Ethics, paragraph C.2. It seems clear to the Board from a review of the record, and specifically the Respondent's conduct and position in this proceeding by her failure to take responsibility for her actions, that Respondent does possess a physical, mental or emotional problems which are likely to harm a client or others. Despite the requirements under this ethical rule, Respondent was not alert to signs of impairment and did not to seek assistance for her problems nor suspend or terminate her professional responsibilities. Therefore, pursuant to Idaho Code Section 54-3407 and I.D.A.P.A. 24.15.01.350 and 500, the Board imposes the following disciplinary sanctions upon Respondent Katherine Cristine Wolff.

a. That Respondent's license shall be revoked. Respondent shall not be eligible to apply for a license until four (4) years from the date of this Order.

b. That the reissuance of Respondent's license shall be at the discretion of the Board, and conditioned upon Respondent's compliance with the following:

(1) That Respondent shall pay a $1,000.00 fine as previously ordered in the Stipulated Remand and Final Order set forth in this proceeding.

(2) That Respondent shall pay the costs which were incurred in the instant proceeding in the amount of $1,943.00. Said costs are represented in the formal action costs summary which is attached hereto as Exhibit "A" and incorporated herein by this reference. Respondent shall have the time set forth for a reconsideration of the Board's Order to contest the nature or amount of costs which are hereby ordered.

(3) That Respondent shall have attended twenty (20) hours of continuing education in Board-approved counselor ethics courses.

(4) That Respondent shall be evaluated by a Board-approved licensed psychologist or licensed psychiatrist at her own cost, which evaluation shall establish that Respondent can responsibly and ethically practice counseling in the state of Idaho.

3. In the event the Board approves the re-issuance of Respondent's license, it shall be entitled at said time to require probation and other conditions as it deems necessary and appropriate.

4. This is the Final Order of the Board.

a. Any party may file a Petition for Reconsideration of this Final Order within fourteen (14) days of the service date of this Final Order. The Board will dispose of the Petition for Reconsideration within twenty-one (21) days of its receipt, or the Petition will be considered denied by the operation of law. (*See*, Idaho Code Section 67-5247(4).)

b. Pursuant to Idaho Code Sections 67-5270 and 57-5272, any party aggrieved by this Final Order, or orders previously issued in this case, may appeal this Final Order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which: (i) a hearing was held; (ii) the final agency action was taken; or (iii) the party seeking review of this Final Order resides.

c. An appeal must be taken within twenty-eight (28) days: (i) of the service date of this Final Order; (ii) of any order denying petition for reconsideration; or (iii) of the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. (*See*, Idaho Code Section 67-5273.) The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

5. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon the Respondent and the State's attorney by mailing a copy to them at their addresses as provided.

DATED this 26 day of October, 2004.

STATE BOARD OF PROFESSIONAL
COUNSELORS AND MARRIAGE AND FAMILY
THERAPISTS

By Bobbie Berdsall
Chairman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 26th day of October, 2004, I caused to be served, by the method(s) indicated, a true and correct copy of the foregoing upon:

Stephanie N. Guyon Deputy Attorney General Office of the Attorney General P.O. Box 83720 Boise, ID 83720-0010	___ U.S. Mail ___ Hand Delivered ___ Federal Express ___ Fax Transmission X StateHouse Mail
Katherine Cristine Wolff 202 11th Avenue North Buhl, ID 83316	X U.S. Mail X Certified Mail No. _____ ___ Federal Express ___ Fax Transmission

Rayola Jacobsen

Rayola Jacobsen, Bureau Chief

Exh. A - Cost Summary

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IDAHO BUREAU OF OCCUPATIONAL LICENSES

Formal Action Cost Summary

Case #	Respondent Name	Lic No
COU-2004-3	KATHERINE CRISTINE WOLFF	LCPC-2699

Formal Action

Case #	Date	Vendor	Description	Amount
COU-2004-3	9/30/2004	URANGA & URANGA	COU 2004-3	$40.00
COU-2004-3	9/28/2004	URANGA & URANGA	COU 2004-3	$1,010.00
COU-2004-3	9/1/2004	ATTORNEY GENERAL OFFICE OF	Professional services	$3.80
COU-2004-3	8/1/2004	ATTORNEY GENERAL OFFICE OF	Professional services	$372.40
COU-2004-3	7/1/2004	ATTORNEY GENERAL OFFICE OF	Professional Services	$304.00
COU-2004-3	6/1/2004	ATTORNEY GENERAL OFFICE OF	Professional Services	$64.60
COU-2004-3	5/1/2004	ATTORNEY GENERAL OFFICE OF	Professional services	$7.60
COU-2004-3	4/1/2004	ATTORNEY GENERAL OFFICE OF	Professional Services	$121.60
COU-2004-3	3/1/2004	ATTORNEY GENERAL OFFICE OF	Professional Services	$19.00
			Formal Action Total	**$1,943.00**
			Total Cost	**$1,943.00**

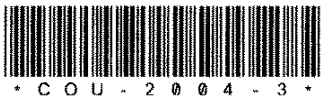

Exhibit "A"