

**STATE OF NEW HAMPSHIRE  
OFFICE OF PROFESSIONAL  
LICENSURE AND CERTIFICATION**

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**BOARD OF MENTAL HEALTH**

**In Re: Sara Devalk, LCMHC  
Lic. # 2564**

**ORDER OF EMERGENCY  
SUSPENSION – 02/03/23**

Docket No.: 2023-MHP-004

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**I. CASE SUMMARY/PROCEDURAL HISTORY:**

On or about 12/02/22, the Office of Professional Licensure and Certification, Division of Enforcement (“OPLC Enforcement”), acting on behalf of the Board of Mental Health (“Board”), received a complaint alleging Sara Devalk, a New Hampshire Licensed Clinical Mental Health Counselor (“Licensee”) had been engaging in inappropriate communications with one or more adolescent patients. OPLC Enforcement’s investigation into the complaint revealed a significant amount of inappropriate communication between the Licensee and an adolescent client after the client relationship had been terminated, some of which was sexualized and/or threatening in nature. On 02/03/23, the Board held an emergency meeting during which it voted to immediately suspend Licensee’s license on an emergency basis pursuant to RSA 330-A, N.H. Code Admin. R., Title Mhp 505.01(a) (“Rules”), and N.H. Code Admin. R., Title Plc 206.07. This Order of Emergency Suspension follows.

**II. LEGAL STANDARD:**

“ In cases involving imminent danger to life or health, the board may order suspension of a licensee...” RSA 330-A:30. The Board has further interpreted that to mean: “[w]hen the board receives information indicating that a licensee has engaged in or is likely to engage in professional misconduct which poses an

immediate danger to life or health, the board shall issue an order pursuant to RSA 330-A:30...” Rule 505.01(a).

### **III. EVIDENCE PRESENTED AND FINDINGS OF FACT:**

#### **A. Evidence Presented**

The Board was presented with and/or considered the following evidence: 1) Verified Petition for Emergency Temporary Suspension of Licensure Pursuant to RSA 310-A: 1-M, IV, RSA 330-A: 30, Plc 206.07, (A),(B) and Mhp 505.01, (a)” 2) Exhibits 1-3, accompanying the Verified Petition;<sup>1</sup> and 3) the sworn testimony of Michael Porter, OPLC Investigations Bureau Chief and Eric Goulet, Investigative Paralegal at OPLC. The Board also relied on its expertise in the field it regulates. A review of the evidence presented, and the reasonable inferences taken therefrom, allows the Board to find the following facts.

#### **B. Findings of Fact**

Exhibits 1, 2, and 3, contain text and social media communications between the Licensee and an adolescent former client, including some from the Licensee to the adolescent that are either threatening and/or sexualized in nature. The Exhibits also demonstrate that communication between the Licensee and the juvenile client continued after the Licensee knew that the client relationship was terminated by the child’s mother and OPLC Enforcement had interviewed the Licensee about this matter. It does not appear from the Exhibits or other evidence provided that the Licensee informed the child’s parent or guardian about the continued communication. Additionally, the Licensee currently practices with adolescents and works at an agency that is a service provider for the Division for Children, Youth, and Families (“DCYF”) in RSA 169-C abuse and neglect proceedings.

### **IV. CONCLUSIONS OF LAW:**

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<sup>1</sup> The Board voted to **SEAL** Exhibits 1, 2, and 3 to protect the identity of the juvenile involved in this matter and the integrity of the ongoing investigation. They contain various social media, email and text communications involving the Licensee and a juvenile patient.

The Board concludes there is a reasonable basis to suspend the Licensee's New Hampshire license to practice as a Licensed Clinical Mental Health Counselor on an emergency basis pursuant to RSA 330-A:30. From a facial reading of the communications contained in Exhibits 1 through 3, as well as the other evidence presented, it does not appear that the Licensee is looking out for the best interests of the child client. Further, it appears the Licensee is conducting therapy sessions with the juvenile through social media and texting after knowing that her client relationship with the child was terminated and the child is currently in other therapy. As previously noted, the Board is deeply troubled by the apparent sexualized and threatening nature of some of the communications between the Licensee and former child client, especially given the child's alleged diagnoses. Considering a facial review of the evidence demonstrates the Licensee continues to practice with adolescents at a service provider for DCYF and has demonstrated a cavalier approach toward the mental health and well-being of this adolescent client, the Board finds and concludes she poses an ongoing, imminent threat to the public, especially a vulnerable segment of it, while licensed as a Clinical Mental Health Counselor in New Hampshire. The Licensee's conduct appears to be professional misconduct as defined at RSA 330-A:27, II(c), (d), (g), and/or (i) that warrants immediate emergency suspension of her license pursuant to RSA 330-A:30, pending a disciplinary hearing.

**V. ORDER:**

Pursuant to RSA 330-A:30, the Board hereby orders the immediate emergency suspension of Sara Devalk's license as a clinical mental health counselor, pending a follow up hearing in this matter. A Notice of Hearing with an appropriate date/time shall follow forthwith.

DATED: 2/8/2023

\_\_\_\_\_/s/ Nikolas Frye\_\_\_\_\_  
Hearings Examiner  
Authorized Representative of the  
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