

**State of New Hampshire
Board of Mental Health Practice
Concord, New Hampshire 03301**

In the matter of:
Celeste Ricci-Trahan, LICSW
License No.: 1250
(Misconduct Allegations)

Docket #23-MHP-011

SETTLEMENT AGREEMENT

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the mental health profession, the New Hampshire Board of Mental Health Practice (“Board”) and Celeste Ricci-Trahan, LICSW (“Respondent”), a Licensed Independent Clinical Social Worker licensed by the Board, do hereby stipulate and agree to resolve certain allegations of professional misconduct now pending before the Board according to the following terms and conditions:

1. Pursuant to RSA 330-A:28 and Mental Health Practice Administrative Rules ("Mhp") 207, the Board has jurisdiction to investigate allegations of professional misconduct committed by mental health practitioners. Pursuant to RSA 330-A:28, VIII, the Board may, at any time, dispose of such allegations by settlement and without commencing a disciplinary hearing.
2. The Board first granted Respondent a license to practice as a Licensed Clinical Social Worker in the State of New Hampshire on January 21, 2005. Respondent holds license number 1250. Respondent’s license expires January 31, 2025.
3. Respondent also holds a license to practice mental health in Massachusetts.
4. On or about May 2, 2023, the Board received an application for reinstatement from Respondent where Respondent answered “Yes” to the question: “Have you practiced

mental health while your license was expired?”

5. On May 19, 2023, the Board voted to initiate the current adjudicatory proceeding against Respondent.

6. Respondent stipulates that if a disciplinary hearing were to take place, Hearing Counsel could prove that Respondent engaged in professional misconduct in violation of RSA 330-A:23, I and Mhp 401.02(c) by the following facts:

A. Respondent’s license expired on January 21, 2023.

B. Respondent failed to timely submit a renewal application.

C. Respondent submitted an application for reinstatement on or about May 2, 2023.

On that application Respondent answered “yes” to the question “Have you practiced mental health while your license was expired?”

D. Respondent stated that her license had lapsed “due to clinician oversight and OPLC having incorrect email address for prior notification.”

E. Respondent admitted to practicing while unlicensed for a period of over three months.

F. The Office of Professional Licensure had an incorrect email address in Respondent’s file.

G. Respondent completed all continuing education and collaboration as required.

H. Respondent’s license was reinstated on or about May 19, 2023.

6. The Board finds that Respondent committed the acts as described above and concludes that, by engaging in such conduct, Respondent violated RSA 330-A:23, I and Mhp 401.02(c).

7. Respondent acknowledges that this conduct constitutes grounds for the Board to impose disciplinary sanctions against Respondent's mental health practitioner license in the State of New Hampshire.
8. Respondent consents to the Board imposing the following discipline, pursuant to RSA 330-A:27, III:
 - A. Respondent is **REPRIMANDED**.
 - B. Respondent is assessed an **ADMINISTRATIVE FINE** in the amount of two hundred fifty dollars (\$250.00). Respondent shall pay this fine in full within forty-five (45) days of the effective date of this Settlement Agreement, as defined further below, by delivering a money order or bank check, made payable to "Treasurer, State of New Hampshire," to the Board's office at 7 Eagle Square, Concord, New Hampshire, 03301. No separate invoice shall issue. Payment shall include a copy of this Settlement Agreement or a note including the docket number and indicating the payment is made in compliance with a settlement agreement with the Board.
9. The Board may consider Respondent's compliance with the terms and conditions herein in any subsequent proceeding before the Board regarding Respondent's license.
10. Respondent's breach of any terms or conditions of this *Settlement Agreement* shall constitute unprofessional conduct pursuant to RSA 330-A:27, II (c), and a separate and sufficient basis for further disciplinary action by the Board.
11. Except as provided herein, this *Settlement Agreement* shall bar the commencement of further disciplinary action by the Board based upon the misconduct described above. However, the Board may consider this misconduct as evidence of a pattern of conduct in

the event that similar misconduct is proven against Respondent in the future. Additionally, the Board may consider the fact that discipline was imposed by this Order as a factor in determining appropriate discipline should any further misconduct be proven against Respondent in the future.

12. This *Settlement Agreement* shall become a permanent part of Respondent's file, which is maintained by the Board as a public document.
13. Respondent voluntarily enters into and signs this *Settlement Agreement* and states that no promises or representations have been made to her other than those terms and conditions expressly stated herein.
14. The Board agrees that in return for Respondent executing this *Settlement Agreement*, the Board will not proceed with the formal adjudicatory process based on the facts described herein.
15. Respondent understands that her action in entering into this *Settlement Agreement* is a final act and not subject to reconsideration or judicial review or appeal.
16. Respondent has had the opportunity seek and obtain the advice of an attorney of her choosing in connection with her decision to enter into this *Settlement Agreement*.
17. Respondent understands that the Board must review and accept the terms of this *Settlement Agreement*. If the Board rejects any portion, the entire *Settlement Agreement* shall be null and void. Respondent specifically waives any claims that any disclosures made to the Board during its review of this *Settlement Agreement* have prejudiced her right to a fair and impartial hearing in the future if this *Settlement Agreement* is not accepted by the Board.
18. Respondent is not under the influence of any drugs or alcohol at the time she signs the

Settlement Agreement.

19. Respondent certifies that she has read this document titled *Settlement Agreement*. Respondent understands that she has the right to a formal adjudicatory hearing concerning this matter and that at said hearing she would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her own behalf, to contest the allegations, to present oral argument, and to appeal to the courts. Further, Respondent fully understands the nature, qualities, and dimensions of these rights. Respondent understands that by signing this *Settlement Agreement*, she waives these rights as they pertain to the misconduct described herein.
20. This *Settlement Agreement* shall take effect as an Order of the Board on the date it is signed by an authorized representative of the Board.

[end of terms; signatures to follow]

FOR RESPONDENT

Dated: July 6, 2023

Celeste Ricci-Trahan
Celeste Ricci-Trahan,
Respondent

FOR THE BOARD

ACCEPTED BY BOARD OF MENTAL HEALTH PRACTICE on this 22nd day of
August, 2023 (Effective Date).

Nikolas K. Frye, Esq.
(Signature)

Nikolas Frye, Hearings Examiner and Presiding Officer
(Print or Type Name)
Authorized Representative of the
Board of Mental Health Practice