

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

**In the Matter of:
Christopher Dearborn, LICSW
No.: 1630
(Misconduct Allegations)**

CONSENT DECREE

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the mental health practice, the New Hampshire Board of Mental Health Practice ("Board") and Christopher Dearborn, LICSW ("Respondent"), an 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:27, I, 330-A:28, and 330-A:29, and Mental Health Practice Administrative Rules ("Mhp") 206 and 210, the Board has jurisdiction to investigate and adjudicate 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 in the State of New Hampshire on November 21, 2011. Respondent holds license number 1630. At the time of the allegations, Respondent was employed by Northern Human Services at its Wolfeboro office.

*N.H. Board of Mental Health Practice
in the matter of Christopher Dearborn, LICSW
Settlement Agreement*

3. The Board became aware of allegations that, while employed by Northern Human Services, Respondent engaged in inappropriate behavior and made inappropriate comments to a female co-worker.
4. In response to this, the Board conducted an investigation and obtained information from various sources pertaining to Respondent's conduct.
5. On February 13, 2018 the Board issued a Notice of Hearing. If a disciplinary hearing were to take place, Hearing Counsel would seek to prove that Respondent engaged in professional misconduct, in violation of 330-A:27, II (c). Specifically:
 - A. Respondent was employed as a mental health counselor at Northern Human Services.
 - B. In late 2013 or early 2014 Respondent and a female co-worker went out for drinks after work. The co-worker later alleged that at the conclusion of the evening, Respondent made unwelcomed advances upon that co-worker.
 - C. During the same time period, the co-worker alleged that Respondent made workplace comments to the same co-worker that were inappropriate.
6. The Board finds that, if proven, the acts as described above constitute unprofessional conduct in violation of RSA 330-A:27, II (c).
7. Respondent acknowledges that this conduct constitutes grounds for the Board to impose disciplinary sanctions against Respondent's independent clinical social worker license in the State of New Hampshire.
8. Respondent consents to the Board imposing the following discipline, pursuant to RSA 330-A:27, III:

*N.H. Board of Mental Health Practice
in the matter of Christopher Dearborn, LICSW
Settlement Agreement*

- A. Respondent is **reprimanded**.
- B. Respondent is assessed an administrative **fine** of two thousand dollars (\$2,000.00), one thousand (\$1,000.00) of which is suspended for a period of two (2) years. Respondent shall pay the non-suspended portion of this fine in full within thirty (30) days of the effective date of this *Consent Decree*, 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 121 South Fruit Street, Concord, NH 03301 **OR** in four (4) installments of two hundred and fifty dollars (\$250.00) each. The first payment shall be due within thirty (30) days of the effective date of this *Consent Decree*. The remaining payments shall be due within thirty (30) days of the previous payment. All payments shall be made in the form of a money order or bank check made payable to "Treasurer, State of New Hampshire" and delivered to the Board's office at 121 South Fruit Street, Concord, NH 03301.
- C. Respondent's license to practice is placed on **probation** for two (2) years. Probation does not restrict Respondent's ability to practice, but imposes the following conditions:
- a) Respondent must comply with all terms of this *Consent Decree*.
 - b) Respondent must comply with all disciplinary statutes, rules, or codes of ethics adopted by the Board of Mental Health Practice.
 - c) Respondent shall not engage in any inappropriate behavior with clients or coworkers.

*N.H. Board of Mental Health Practice
in the matter of Christopher Dearborn, LICSW
Settlement Agreement*

The suspended portion of the fine will be imposed if Respondent violates any of the conditions of probation listed above. In addition to violating this agreement, any new violations will constitute a basis for separate disciplinary action.

- D. Respondent shall pay five hundred dollars (\$500.00) towards the costs of **investigation and prosecution**. Payment shall be made in full within thirty (30) days of the effective date of this *Consent Decree* by delivering a money order or bank check, made payable to "Treasurer, State of New Hampshire," to the Board's office at 121 South Fruit Street, Concord, NH 03301 and making a notation that it is for "cost of Investigation pursuant to RSA 332-G:11."
- E. Respondent is required to meaningfully participate in (10) ten hours of in-person **continuing education** in the areas of professional boundaries or professional ethics. These hours shall be in addition to the hours required by the Board for renewal of licensure and shall be completed within one (1) year from the effective date of this *Settlement Agreement*. Within fifteen (15) days of completing these hours, Respondent shall notify the Board and provide written proof of completion. Any hours in the areas of professional boundaries or professional ethics completed by Respondent upon his own initiative in the year prior to the effective date of this *Consent Decree* may be applied toward satisfying the this requirement. Respondent shall bear all costs of the continuing education required by this *Consent Decree*, but he shall be permitted to share such costs with third parties.

*N.H. Board of Mental Health Practice
in the matter of Christopher Dearborn, LICSW
Settlement Agreement*

- F. The Board may consider Respondent's compliance with the terms and conditions herein in any subsequent proceeding before the Board regarding Respondent's license.
 - G. Within ten (10) days of the effective date of this *Consent Decree*, as defined further below, Respondent shall furnish a copy of the *Consent Decree* to any current employer for whom Respondent performs services as a licensed mental health practitioner or work which requires education, training or a degree in or directly or indirectly involves patient care, and to any agency or authority which licenses, certifies or credentials mental health practitioners, with which Respondent is presently affiliated.
 - H. For a continuing period of one (1) year from the effective date of this *Consent Decree*, Respondent shall furnish a copy of this *Consent Decree* to any employer to which Respondent may apply for work as a licensed mental health practitioner or for work in any capacity which requires education, training or a degree in mental health counseling or social work or directly or indirectly involves patient care, and to any agency or authority that licenses, certifies or credentials mental health practitioners, to which Respondent may apply for any such professional privileges or recognition.
9. Respondent's breach of any terms or conditions of this *Consent Decree* 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.

*N.H. Board of Mental Health Practice
in the matter of Christopher Dearborn, LICSW
Settlement Agreement*

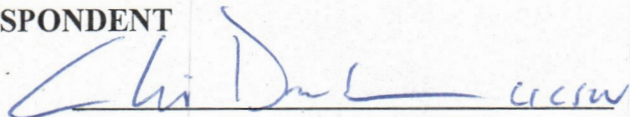
10. Except as provided herein, this *Consent Decree* shall bar the commencement of further disciplinary action by the Board based upon the misconduct described above. However, the Board may consider this misconduct as evidence of a pattern of conduct in the event that similar misconduct is proven against 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.
11. This *Consent Decree* shall become a permanent part of Respondent's file, which is maintained by the Board as a public document.
12. Respondent voluntarily enters into and signs this *Consent Decree* and states that no promises or representations have been made to him other than those terms and conditions expressly stated herein.
13. The Board agrees that in return for Respondent executing this *Consent Decree*, the Board will not proceed with the formal adjudicatory process based upon the facts described herein.
14. Respondent understands that his action in entering into this *Consent Decree* is a final act and not subject to reconsideration or judicial review or appeal.
15. Respondent has had the opportunity to seek and obtain the advice of an attorney of his choosing in connection with his decision to enter into this *Consent Decree*.
16. Respondent understands that the Board must review and accept the terms of this *Consent Decree*. If the Board rejects any portion, the entire *Consent Decree* shall be null and void. Respondent specifically waives any claims that any disclosures made

*N.H. Board of Mental Health Practice
in the matter of Christopher Dearborn, LICSW
Settlement Agreement*

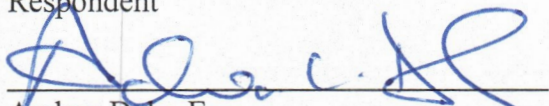
- to the Board during its review of this *Consent Decree* have prejudiced his right to a fair and impartial hearing in the future if this *Consent Decree* is not accepted by the Board.
17. Respondent is not under the influence of any drugs or alcohol at the time he signs this *Consent Decree*
 18. Respondent certifies that he has read this document titled *Consent Decree*. Respondent understands that he has the right to a formal adjudicatory hearing concerning this matter and that at said hearing he would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his 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 *Consent Decree*, he waives these rights as they pertain to the misconduct described herein.
 19. This *Consent Decree* shall take effect as an Order of the Board on the date it is signed by an authorized representative of the Board.

FOR RESPONDENT

Date: 9-13-18


Christopher Dearborn, LICSW
Respondent

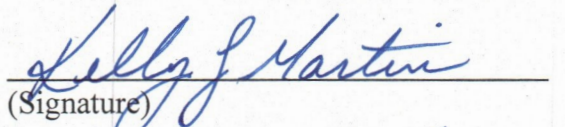
Date: 9-18-18


Andrea Daly, Esq.
Counsel for Respondent

FOR THE BOARD/*

This proceeding is hereby terminated in accordance with the binding terms and conditions set forth above.

Date: 9/26/2018


(Signature)
Kelly L. Martin
(Print or Type Name)
Authorized Representative of the
New Hampshire Board of
Mental Health Practice

/* Dayl Hufford, Board members, recused.