

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

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**BOARD OF LICENSING FOR ALCOHOL AND  
DRUG USE PROFESSIONALS**

**In Re: Dominic Donahue,  
MLADC Lic. #0931**

Docket No.: 2021-ALC-001

**FINAL DECISION AND  
ORDER - 07/13/21**

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**I. ATTENDEES:**

Serene Eastman, Board Member  
Alexandra Hamel, Board Member  
Kelly Luedke, Board Member  
Angela Whiting, Board Member  
Ashley Czechowicz, Administrator  
Attorney Matthew Mavrogeorge, Hearing Counsel  
Attorney John Brown, Hearing Co-Counsel  
Todd H. Prevett, OPLC Hearings Examiner and Presiding Officer

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

On or about 01/10/18, the Board received a complaint from New Hampshire Department of Health and Human Services (“DHHS”) alleging that Dominic Donahue, (“Licensee”) had engaged in professional misconduct contrary to RSA 330-C:27. Licensee signed a preliminary agreement not to practice on or about 03/14/19. The Board voted to commence an adjudicative/disciplinary proceeding and a final adjudicative hearing was held on 06/17/21 at 11:00 am.

**III. SUMMARY OF THE EVIDENCE:**

The Board received the following evidence pursuant to RSA 541-A:33 and Rule 212.03:

A. Exhibits were submitted by Hearing Counsel, numbered as follows:

1. Investigation dated February 3, 2019; (HC 0001-HC 0026)

2. Serenity Place Clinical Director Position Description and Related Responsibilities; (HC 0027-HC 0028)
3. Program List with Reimbursement Source; (HC 0029)
4. List of Staff; (HC 0030)
5. Letters of Complaint from Commissioner Jeff Meyers, Department of Health and Human Services and Stephanie Bergeron; (HC 0031-HC 0032)
6. Response from Dominic Donahue, MLADC, dated March 26, 2018; (HC0033-HC 0036)
7. NH Online License Information; (HC 0037)
8. Serenity Place Incident Reports, Emails and letters; (HC 0035-HC 0067)
9. National Council on Alcoholism and Drug Dependence (NCADD) Serenity Place Site Review on December 28,2017; (HC 0068-HC 0084)
10. State of New Hampshire Department of Health and Human Services (NHDHHS) Amendment #1 to the Substance Use Disorder Treatment and Recovery Support Services Contract; (HC 0085-HC 0180)
11. Emails regarding Provider Billing Issues; (HC 0181-HC 0189)
12. Report of Investigation dated July 13,2020; (HC 0190-HC 0203)
13. Letter from Dennis Hogan, Hillsborough County Attorney to Toni Beauchesne, dated October 23,2018; (HC 0204)
14. Letter from Michael Conlon, Hillsborough County Attorney's Office to OPLC dated April 11, 2019; (HC 0205)
15. NAADAC Code of Ethics; (HC 0206-HC 0208)
16. Assurances signed by Dominic Donahue, dated June 16,2016. (HC 0209-HC 0210)

B. Exhibits were submitted by Licensee, designated as follows:

A. None

C. Testimony was received from:

1. Allison Vachon, Investigator at APU
2. Toni Beauchesne, Drug Court Participant
3. Jacqui Abikoff, Executive Director at Horizons Counseling Center

#### **IV. CONDUCT OF THE HEARING AND EVIDENCE PRESENTED:**

The Licensee previously held a license as an MLADC since 2014. After receiving a complaint and ordering an investigation, the Board conducted this adjudicative hearing on 06/17/21, where Licensee failed to appear. The Board is concerned that Licensee did not appear at the hearing and that recent notices and pleadings have been returned from Licensee's last known address in Salem, MA. As

a result of being put in the position to default Licensee under Rule 210.02, the Board shall recite some of this case's procedural history.

Hearing Counsel pointed out that Licensee had originally received notice of the commencement of this matter on or about March 2018. Licensee substantially responded to the complaint on or about 03/26/18. Licensee (with the assistance of counsel) further responded to the complaint on or about 06/05/18. Licensee unequivocally demonstrated his knowledge of the existence of this matter and his intent to contest it by having his counsel (Attorneys Amy Spencer and Kara Dowal) file appearances in this case. Licensee and his counsel then signed and submitted a preliminary agreement not to practice on or about 02/14/19. The agreement openly stated Licensee's knowledge of the general allegations against him and that Licensee would be leaving the United States and returning to Canada in February 2019. Licensee's counsel thereafter withdrew and Licensee failed to file an appearance or provide the Board with any updated contact information. At some point in 2020, Licensee ceased using his email address ("domdonahue@icloud.com") and the Board's further attempts to contact Licensee went unanswered. As a result, the Board finds that Licensee received sufficient notice of this proceeding and has failed to appear. Pursuant to Rule 210.02(c), Hearing Counsel lawfully proceeded to present their testimony and evidence in this matter. Pursuant to Rule 212.01, Hearing Counsel has the burden of proving its case by a preponderance of the evidence. Hearing Counsel admitted their evidentiary exhibits without objection. The credible evidence presented at the hearing allows the Board to find the following facts.

Ms. Allison Vachon, an investigator at the APU, was sworn and testified. Ms. Vachon provided extensive testimony about the background of this case and the underlying facts. Ms. Vachon testified that she reviewed copious amounts of documents, interviewed employees at Serenity Place, and subpoenaed further records as part of her investigation (including internal documents, emails, and letters to/from Serenity Place). Ms. Vachon testified that Serenity Place was a substance abuse service provider formerly located in Manchester. Serenity Place was a large organization with numerous employees that provided state-contracted substance abuse services to state organizations including DHHS and the "Drug Court" program. Serenity Place, however, is no longer functioning, as it went into financial receivership.

On or about 01/10/18, the Board received a complaint from Jeffrey Meyers, the Commissioner of New Hampshire DHHS. At the time, Licensee was the clinical director at Serenity Place and was the

highest level practitioner in the organization. Through her testimony and supporting exhibits, Ms. Vachon provided a disturbing narrative of Licensee's professional misconduct while at Serenity Place.

As part of his position as clinical director, Licensee had certain obligations regarding employee hiring, certification, and supervision. During his tenure at Serenity Place, Licensee habitually belittled subordinates for their perceived lack of education or knowledge, or conversely for wanting to obtain further professional education. Licensee repeatedly treated job applicants at Serenity Place so poorly that several withdrew their job applications due to Licensee's lack of professionalism. Licensee grossly disregarded his obligation to ensure that CRSWs (certified recovery support workers) applied for and obtained proper certification to perform services on behalf of Serenity Place.

In his response, Licensee states that the problems with Serenity Place were the result of unqualified staff, significant employee turnover, an overwhelming caseload of 2000-5000 client files at any one time, the lack of adequate computer systems, and other issues. Licensee states that he could not reasonably do more than occasional "spot checks" on client files. It is cruelly ironic that issues with unqualified staff and employee turnover appear due, in no small part, to Licensee's malfeasance. Licensee's gross negligence and lack of due diligence also resulted in catastrophic billing errors (upwards of \$800,000.00), significant lost revenue for Serenity Place, criminal allegations of financial fraud, and ultimately, bankruptcy/receivership for Serenity Place.

As part of his job duties, Licensee was the supervisor for all licensed clinicians and certified counselors. Licensee failed to ensure that his employees obtained proper licensure as LADCs or MLADCs; yet he "treat [unlicensed counselors] like they were licensed." Licensee habitually failed to supervise his subordinates, failed to hold training/supervision meetings, rarely reviewed/approved clinical records, and failed to conduct required evaluations of subordinates. At times, clients of Serenity Place were faced with incarceration or other criminal consequences due to Licensee's long-term neglect of his duties and obligations. Some desperate clients became so upset that they threatened Serenity Place staff, over Licensee's inaction.

Licensee also recklessly allowed non-licensed subordinates to conduct substance abuse evaluations or provide other services with no supervision or assistance, calling into question the validity of the evaluations and submitting false information to criminal courts. Ms. Vachon interviewed approximately 17 employees of Serenity Place who corroborated the observations of Licensee's actions and attitude. In particular, Licensee committed multiple acts of misconduct while involved in the "Drug Court" program in the Hillsborough County Superior Court (North) in Manchester, NH. The Court

employed Serenity Place as a service provider for the Drug Court program. Licensee was put in charge of Serenity Place's involvement with Drug Court and was supposed to supervise employees and treat clients at Drug Court. Licensee ended up spending inordinate amounts of time physically at the courthouse for unknown reasons. Several Serenity Place employees and Drug Court clients complained that Licensee was engaging in inappropriate sexual harassment and requests for sexual favors from Drug Court participants. Licensee would strongly imply that the clients should be open to engaging in homosexual sex acts with Licensee, while commenting that, "I [Licensee] have your life in my hands." Ms. Vachon testified that multiple victims reported that Licensee was going well outside professional therapeutic boundaries and being inappropriate during one-on-one therapy sessions by engaging in "quid pro quo" sexual harassment.

Next, Toni Beauchesne, a former Drug Court client, testified as to his first-hand interactions with Licensee. Mr. Beauchesne stated that he first met Licensee in the spring of 2016, during his participation in the Drug Court program. Mr. Beauchesne was facing significant prison time if he did not comply with Drug Court. At their first meeting, Licensee recommended individual weekly counseling. Mr. Beauchesne immediately wanted to reduce the frequency of counseling, as Licensee habitually made him feel uncomfortable. Licensee repeatedly attempted to convince Mr. Beauchesne that he was homosexual and that Mr. Beauchesne was attracted to men. Mr. Beauchesne testified credibly that Licensee frequently told him that, "You are not being true to yourself. You want to have sex with men." Licensee continued to be hyper focused on Mr. Beauchesne's sexuality and even stated that, "[Mr. Beauchesne] should not be in a relationship with a woman," and that Licensee had the power to "keep [Mr. Beauchesne] and his girlfriend apart for the long time by sending you to jail." Mr. Beauchesne testified that Licensee's constant questioning about sexual issues got to the point where sobriety was not even mentioned in counseling sessions.

Mr. Beauchesne became extremely uncomfortable and stopped attending therapy with Licensee. At that point, Mr. Beauchesne testified that Licensee retaliated against him by recommending significant sanctions from the Drug Court program. Simultaneously, Licensee continued his sexual harassment by encouraging Mr. Beauchesne to visit gay dating sites, such as Grind'r and telling Mr. Beauchesne "You should go and check it out. You'll find a guy or a boy that you like." Mr. Beauchesne testified that Licensee unilaterally established a date on which Mr. Beauchesne was supposed to "move into Licensee's house and cook his food and clean his house." Mr. Beauchesne felt trapped by Licensee requesting sexual favors in return for keeping him out of jail. Eventually, Mr. Beauchesne was

terminated from the Drug Court program and blames Licensee and Serenity Place. Mr. Beauchesne feels victimized in that no one at either Serenity Place or Drug Court listened to his concerns about Licensee in time to help him.

Lastly, Jacqui Abikoff, Executive Director at Horizon's Counseling Center, testified in this matter. She has been Executive Director and a clinical supervisor since 1987. Ms. Abikoff is an MLADC, recused board member and is an expert consultant in the areas of professional ethics and trauma issues in criminal justice. She is the ethics chair for the NH Alcohol and Drug Abuse Council. Ms. Abikoff reviewed the exhibits and other documents in preparation for testifying today. She also reviewed the audio recordings and transcripts of witness interviews that were part of the investigation. From the clinical director point of view, Ms. Abikoff described Licensee's actions as grossly negligent. Ms. Abikoff corroborated Ms. Vachon's prior testimony that Licensee utterly failed to perform any of his core job functions at Serenity Place, including failing to support/supervise subordinates, failing to ensure that subordinates obtained required certification/licensure, and recklessly allowing unlicensed staff to engage in diagnostic and treatment services outside of their scope of practice. Ms. Abikoff affirmatively testified that all these actions are grossly in violation of the ethical and legal rules for MLADCs. Likewise, Ms. Abikoff testified that Licensee fraudulently signed off on client records when he had not participated in the services, leading to fraudulent billing and false information being reported to stakeholders (such as courts).

Overall, Ms. Abikoff describes Licensee's actions as totally irresponsible and unprofessional, to the point where Licensee put Serenity Place's entire program at risk of liability. Licensee acted without regard for the quality of care that clients were receiving, and had little regard for the careers or professional development of his subordinates. Ms. Abikoff testified that, on an everyday basis, no one could determine what Licensee was doing, when he was not involved in his own needs, harassing employees or Drug Court clients, and otherwise neglecting the quality of services at Serenity Place.

## **V. DISCUSSION AND FINDINGS OF FACTS / CONCLUSIONS OF LAW:**

After reviewing all of the evidence, and taking into account the presentation and demeanor of all the witnesses, the Board finds, by a preponderance of the evidence, that there is clearly sufficient evidence that Licensee committed professional misconduct. The Board has sufficiently summarized the facts and

actions of Licensee above and does not need to restate them here. Licensee is or has been facing legal consequences in other forums and has chosen not to return to the United States to face them. In light of overwhelming, corroborated testimony about the reckless and intentional acts of Licensee that have harmed his clients, his employer, and his co-workers, there is more than enough evidence to make a finding of professional misconduct. As part of this decision, the Board makes the following findings of fact and conclusions of law:

- A. On or about 2017-2018, Licensee was employed as a MLADC, and clinical director at Serenity Place in Manchester, NH.
- B. Pursuant to RSA 330-C:2(XI) and 330-C:27(III)(a), Licensee engaged in professional misconduct by violating the core functions and practice dimensions of addiction counseling for an MLADC, by habitually failing to provide adequate and appropriate assessment, treatment, counseling, and record keeping services to clients.
- C. Pursuant to RSA 330-C:2(XX) and 330-C:27(III)(a), Licensee engaged in professional misconduct by violating the supervised practical training requirements for an MLADC, by failing to provide the experiential activities of a clinical supervisor, timely feedback, and adequate training required for his subordinates to competently perform the tasks inherent in substance use counseling.
- D. Pursuant to RSA 330-C:27(III)(b), Licensee engaged in professional misconduct by engaging in the practice of substance use counseling, co-occurring disorders counseling, or supervision in a manner that was harmful or dangerous to individual clients and/or the public.
- E. Pursuant to Rule 303.02, Licensee engaged in professional misconduct by violating work experience requirements for a CRSW, by habitually failing to supervise/train his CRSW subordinates as required by law.
- F. Pursuant to Rule 306.05, Licensee engaged in professional misconduct by violating the supervised work experience requirements for a LADC, by habitually failing to supervise/train his LADC subordinates as required by law.
- G. Pursuant to RSA 330-C:27(III)(a), 330-C:27(III)(d) and Rule 502.01(b), Licensee engaged in professional misconduct by violating NAADAC Code of Ethics and the Alcohol and Drug Counselor Code of Conduct (a), (c)(1)-(3), (d)(1), (d)(3), (d)(5), (e)(1), (e)(2), (h)(1), (h)(2), (L)(1)-(4), and (n), by engaging in sexual harassment, soliciting sexual relations, sexual abuse, or exploitation of clients in the Drug Court program.
- H. Pursuant to RSA 330-C:27(IV)(a), and upon a finding of professional misconduct under section (III) above, the Board hereby REVOKES Licensee's license as an MLADC.

I. Pursuant to RSA 330-C:27(VI), and upon a finding of professional misconduct under section (III) above, the Board hereby orders Licensee to physically surrender his license to the Board forthwith.

J. Pursuant to RSA 330-C:27(IV)(h) and Rule 413.03, and upon a finding of professional misconduct under section (III) above, the Board hereby assesses an administrative fine of \$2,000.00 against Licensee.

K. Pursuant to RSA 332-G:11, and upon a finding of professional misconduct under RSA 330-C:27(III) above, the Board determines that Licensee should be liable for the reasonable costs of investigative and prosecution in this matter. Therefore, Licensee shall be required to pay said costs in the amount of \$10,000.00.

L. Pursuant to RSA 330-C:27(IV) and Rule 413.02(f) and (g), the Board, in imposing the above-referenced sanctions, considered the following factors: the serious and far-reaching nature of the Licensee's misconduct, the lack of documented prior discipline on Licensee, the Licensee's lack of willingness to cooperate with the Board, the extensive harm and/or potential harm to the public in this case, the clear purpose of the statute to protect clients and the public, the lack of acknowledgement of wrongdoing by Licensee, and the extensive nature and scope of the enforcement activities required as a result of the offense.

M. Pursuant to RSA 330-C:27(IV) and Rule 413.02(h), the Licensee is subjected to the above-referenced discipline as the minimum sanction that the Board believes will, based on the facts and circumstances of this particular case, both protect the public and deter Licensee and any other licensee from engaging in such misconduct in the future.

N. Pursuant to RSA 330-C:27(V), the Board recognizes its statutorily authority to reinstate any person to good standing under this chapter, if the Board (after hearing) is satisfied that reinstatement is in the public interest. However, any future request for reinstatement from Licensee shall include review of this decision, in light of Licensee's egregious actions in this matter.

**VI. CONCLUSION AND DECISION:**

Pursuant to RSA 330-C:27(IV), and Rule 413.02, the Board hereby REVOKES Dominic Donahue's license as an MLADC, and subjects him to further discipline as outlined above.

DATED: 07/13/21

\_\_\_\_\_/s/ Todd H. Prevett, Esq.  
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