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OCCUPATIONS
AND PROFESSIONS

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CERTIFICATION OF
ALCOHOL AND DRUG COUNSELORS

IN RE: TRACI TALIAFERRO, CADC
ADMINISTRATIVE ACTION NO. 11-KBAD-0169

TRACI TALIAFERRO


SETTLEMENT AGREEMENT

Parties

WHEREAS, the Kentucky Board of Certification of Alcohol and Drug Counselors (hereafter "Board") having filed a formal complaint against Traci Taliaferro (hereafter "Respondent") alleging violations of KRS 309.086(10)(d), disregarding the professional standards of practice and 201 KAR 35:030, Section 4(4), not furnishing an explanation to a complaint; and impairment due to mental incapacity which negatively impacts the practice of alcohol and drug counseling;

Jurisdiction

WHEREAS, the Board has jurisdiction over this matter pursuant to KRS Chapter 309.080 to 309.089 and the related administrative regulations.

History

WHEREAS, on or about November 10, 2010, the Respondent submitted a DUI program Completion Form for two traffic court cases that contained the signature of D.L. as the program administrator. On or about January 28, 2011, D.L. filed a complaint alleging his signature was forged on the Completion Forms submitted by Respondent. On or about March 4, 2011, Respondent was ordered to file a written response to the complaint, but the letter was returned as

“Undeliverable.” On or about July 14, 2011, Respondent appeared for the prehearing conference and stated she was currently in a mental health facility and recently diagnosed with bi-polar manic/depressive disorder; and

WHEREAS, the actions of the Respondent constitute violations of KRS 309.086(10)(d) and 201 KAR 35:030 Section 4(4)(a); and

WHEREAS, the parties mutually desire to settle the issues in an expeditious manner, without the need for a formal hearing.

Terms of Agreement

THEREFORE, it is hereby agreed between the undersigned parties that this matter shall be settled and resolved upon the following terms:

- 1) The Respondent, Traci Taliaferro, agrees to amended charges of and admits to violating KRS 309.086(1) (h), 201 KAR 35:030 Section 4, (2) and (4)(a) by suffering impairment due to mental incapacity which negatively impacts her practice as an alcohol and drug counselor and by failing to furnish in writing a written explanation to a complaint filed with the Board.
- 2) The Board shall dismiss Counts 1 & 2 of the Complaint.
- 3) The Respondent’s Kentucky Alcohol and Drug Counselor Certificate, No. 0318, shall be **SUSPENDED** for a period of **two (2) years**, effective upon the acceptance of this Settlement Agreement by the Board.
- 4) Upon Respondent’s ability to provide written proof from a duly licensed mental health care practitioner that the Respondent’s mental health has been stable for **twelve (12) consecutive months** and is capable of practicing as an alcohol and drug counselor with reasonable skill and safety to the public, Respondent shall be placed on probation for the balance

of her suspension. As a condition of her probation, Respondent shall submit to the Board quarterly written reports from the health care practitioner confirming Respondent is in stable mental health.

5) If Respondent cannot provide proof from a health care provider that she can safely provide alcohol and drug counseling, upon the expiration of her suspension, the Board may consider revocation of Respondent's certification;

6) The original, executed Agreed Order must be received in the office of the Board by October 31, 2011; and

7) The Respondent, Traci Taliaferro, agrees that her failure to comply with any of the terms and conditions of this Agreed Order shall result in the board setting the matter for an administrative hearing in accordance with KRS Chapter 13B.

Voluntary Waiver of Rights

The Respondent shall carefully review the Settlement Agreement herein and enters into this Agreement knowingly, willingly and voluntarily and after having reviewed the due process rights afforded to her under KRS Chapter 309.080 to 309.089 and the accompanying administrative regulations. The Respondent has had the opportunity at all times to seek advice from competent counsel of choice, and no coercion has been exerted upon the Respondent, nor have any promises been made other than those reflected in this Agreed Order.

Publication of Settlement Agreement

The Respondent acknowledges that, once adopted by the Board, this Agreed Order may be considered a public document, available for inspection at any time by any member of the public under the Kentucky Open Records Act, and may be reportable under federal law.

Complete Agreement

This Settlement Agreement consists of four (4) pages and embodies the entire agreement between the Kentucky Board of Certification of Alcohol and Drug Counselors and Traci Taliaferro. It may not be altered, amended or modified without the express written consent of both parties.

Have Seen, Understood and Approved:



TRACI TALIAFERRO
Respondent

10/3/11

DATE



ANGELA EVANS
Board Counsel

10/10/11

Date



TERRY REAMS
Chair
Kentucky Board of Certification of
Alcohol and Drug Counselors

11/4/11

Date

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CERTIFICATION OF
ALCOHOL & DRUG COUNSELORS
AGENCY CASE NO. 11-01
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KENTUCKY BOARD OF CERTIFICATION
OF ALCOHOL & DRUG COUNSELORS

COMPLAINANT

vs.

FINAL ORDER

TRACI TALIAFERRO

RESPONDENT

* * * * *

This matter having come before the Kentucky Board of Alcohol & Drug Counselors (hereinafter referred to as "the Board") on November 4, 2011, and the Board having been sufficiently advised, hereby **ADOPTS** the Settlement Agreement signed by Respondent on October 5, 2011.

IT IS SO ORDERED

Dated this 4th day of November, 2011.

Kentucky Board of Alcohol &
Drug Counselors



Terry Reams, Board Chair

Certificate of Service

I hereby certify that a true and correct copy of the foregoing **FINAL ORDER and SETTLEMENT AGREEMENT** were mailed by U.S. postal service, first-class mail, on this 4th day of November, 2011 to:

TRACI TALIAFERRO



Respondent

And via Messenger Mail to:

MICHAEL HEAD

Office of the Attorney General
Division of Administrative Hearings
1024 Capital Center Drive, Ste. 200
Frankfort KY 40601-8204

Hearing Officer

ANGELA EVANS

Office of the Attorney General
Civil Division
Capitol Building, Suite 118
700 Capitol Avenue
Frankfort, KY 40601

Karen Lockett

Karen Lockett, Board Administrator