

**VIRGINIA BOARD OF COUNSELING
FORMAL HEARING
DRAFT MINUTES**

CALL TO ORDER: A quorum of the Board of Counseling (“Board”) convened on Friday, August 6, 2010, at 11:35 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Richmond, Virginia., Board Room 2.

MEMBERS PRESENT: Donnie G. Conner, Ph.D., LPC, Chair
Mary Lou Argow, LPC
Zena A. Bowen, LPC
Johnston Brendel, Ed. D., LPC
Michael Fletcher, Citizen Member
Sandra Malawer, LPC
Charlotte Markva, LPC
Patricia L. Mullen, LPC
William R. Scott, Ph.D., LPC
Linda Seeman, Ph.D., LPC
Catherine Shwaery, Citizen Member
John Penn Turner, LPC

MEMBERS ABSENT: Charles A. McAdams, III, LPC
Eric McCollum, Ph.D., LMFT

BOARD COUNSEL: Howard M. Casway, Sr. Assistant Attorney General

STAFF PRESENT: Evelyn B. Brown, Executive Director
Patricia L. Larimer, Deputy Executive Director
Deborah Harris, Administrative Assistant

COURT REPORTER: Holly Bush, Farnsworth & Taylor Reporting, LLC

**PARTIES ON BEHALF
OF THE COMMONWEALTH:** Wayne Halbleib, Senior Assistant Attorney General
Peter Opper, Adjudication Specialist

RESPONDENT: Cynthia A. Delaney, LMFT
License No.: 0717-000093
Case No.: 129100

DISCUSSION: Ms. Delaney appeared before the Board in person in accordance with a Notice and Statement of Particulars dated March 8, 2010. Ms. Delaney was represented by Matthew Zwerdling, Esquire.

As a preliminary matter, Ms. Delaney's attorney informed the Board that Ms. Delaney had signed a Health Practitioner Monitoring Program ("HPMP") Participation Contract and offered to enter into a settlement agreement.

CLOSED SESSION:

Upon a motion by Linda Seeman and duly seconded by John Brendel, the Board voted to convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Cynthia Delaney. Additionally, she moved that Mr. Casway, Ms. Brown, Ms. Larimer, and Ms. Harris attend the closed meeting, because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of § 2.2-3712 of the Code, the Board reconvened in open session and announced its decision.

DECISION:

Upon a motion by Donnie Conner, and duly seconded by John Brendel, the Board made certain Findings of Fact and Conclusions of Law. Further, upon a motion by Donnie Conner, and duly seconded by Linda Seeman, the Board ordered that Ms. Delaney's license be continued on indefinite suspension, and said suspension shall be stayed upon her entry into and compliance with a HPMP Recovery Monitoring Contract. The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 12:55 p.m.

Donnie Conner, Ph.D., LPC - Chair

Evelyn B. Brown, Executive Director

Date

Date