

**BEFORE THE MINNESOTA
BOARD OF BEHAVIORAL HEALTH AND THERAPY**

In the Matter of the Application for Licensure
of Krista Merrie Carpenter, MS, LPC Applicant

**STIPULATION AND
CONSENT ORDER**

IT IS HEREBY STIPULATED AND AGREED by Krista Carpenter, MS, LPC Applicant
("Applicant"), and the Minnesota Board of Behavioral Health and Therapy ("Board") as follows:

1. During all times herein, Applicant has been and now is subject to the jurisdiction
of the Board for which she applied for a professional counseling license in the State of Minnesota.

FACTS

2. For the purposes of this Stipulation, the Board finds the following:

a. On February 1, 2005, the Board issued Applicant a license to practice
professional counseling in the State of Minnesota. On January 31, 2012, Applicant's license to
practice professional counseling in the State of Minnesota expired. On October 26, 2012, the
Board terminated Applicant's license for nonrenewal.

b. On December 8, 2009, the Colorado State Board of Licensed Professional
Counselor Examiners ("Colorado Board") issued Applicant a license to practice professional
counseling in the State of Colorado.

c. On July 27, 2018, Applicant and the Colorado Board entered into a
Stipulation and Final Agency Order ("2018 Colorado Order") based on Applicant's substandard
billing practices, failure to render adequate supervision, and misleading, deceptive, or false
advertising. The 2018 Colorado Order placed Applicant's license on probation for two years and
required Applicant to practice professional counseling only under the supervision of a practice
monitor and to complete continuing education in the areas of supervision, billing, and ethics.

d. On June 1, 2020, Applicant and the Colorado Board entered into a Stipulation and Final Agency Order (“2020 Colorado Order”) based on Applicant failing to report and failing to act within the limitations created by a mental health condition that affected her ability to treat clients with reasonable skill and safety. As part of the 2020 Colorado Order, Applicant voluntarily surrendered her license to practice professional counseling in the State of Colorado.

e. On or about November 12, 2024, the Board received Applicant’s application for a license to practice professional counseling in the State of Minnesota. On Applicant’s application, Applicant answered “Yes” to the following question: “Have you ever voluntarily surrendered any professional license or registration, allowed it to lapse, or had a limited license issued by any professional licensing authority?” Applicant provided a written statement disclosing her history of professional license discipline in Colorado.

f. On January 21, 2025, Applicant met with the Board’s Complaint Resolution Committee to discuss her application. Regarding the 2018 Colorado Order, Applicant admitted she failed to provide adequate supervision and failed to adhere to ethical and legal guidelines while operating her Colorado practice. Applicant attributed the circumstances identified in the 2020 Colorado Order to life stressors and mental illness.

REGULATIONS

3. The Board views Applicant’s practices as described in paragraph 2 above to be in violation of statutes and rules enforced by the Board. Applicant agrees that the conduct cited above constitutes a violation of Minnesota Statutes section 148B.59(a)(6) (has had a counseling license limited in any jurisdiction or has surrendered a counseling license as part of a disciplinary order); and constitutes a reasonable basis in law and fact to justify the disciplinary action provided for in this Order.

REMEDY

4. Upon this Stipulation and without any further notice or proceedings, the Board hereby **GRANTS** Applicant's application and immediately **SUSPENDS** Applicant's license to practice professional counseling in the State of Minnesota. The suspension is **STAYED** so long as Applicant complies with the following limitations and conditions:

a. **Supervision**. Beginning on the date this Stipulation is adopted by the Board, for a period of no less than **twelve (12) months** of active professional counseling practice for clients in the State of Minnesota, Applicant must practice only under the supervision of a licensed professional counselor or licensed professional clinical counselor. During the period of Applicant's supervised practice, Applicant may not provide licensing or professional supervision to others. Applicant may select up to three (3) candidates for supervising her practice for consideration and approval by the Committee. If Applicant is unable to select candidates for supervising her practice, the Committee may select the supervisor. The supervision must include monitoring and review of Applicant's client records and notes to identify any deficiencies or potential problems in Applicant's practice, as well as a review of Applicant's practices, including her decision-making, work-life balance, and self-care. All costs associated with the supervision must be paid by Applicant. Applicant must cause the supervisor to submit a written report directly to the Committee every three months, which must provide and/or address:

- 1) Verification that the supervisor has received a copy of this Stipulation and Consent Order;
- 2) Verification that Applicant is not providing licensing or professional supervision to others;

- 3) Identification of any deficiencies or potential problems with Applicant's practice, including, but not limited to, her interactions with clients;
- 4) Any corrective actions that have been taken to remedy any deficiencies or potential problems in Applicant's practice;
- 5) The supervisor's assessment of Applicant's decision-making, work-life balance, and self-care;
- 6) Any additional information the supervisor believes would assist the Committee and the Board in its ultimate review of this matter.

b. **Participation in the Health Professionals Services Program ("HPSP").**

Applicant is required to contact the HPSP to initiate enrollment in the program within 14 days from the date the Board adopts this Order. Applicant shall cooperate with the HPSP during the intake process such that the HPSP can determine if Applicant is eligible for monitoring. If HPSP determines that Applicant is eligible for monitoring and sends Applicant a Participation Agreement, Applicant shall enter into a Participation Agreement with HPSP for monitoring within 30 days of HPSP sending Applicant the Participation Agreement. Applicant must comply with all terms of the Participation Agreement.

c. No sooner than **twelve (12) months** from the date of this Order and upon Applicant's satisfactory compliance with all terms of this Order, Applicant may petition the Board for removal of the stayed suspension. Applicant may be required to meet with the Committee, at the Committee's discretion, to discuss her petition as well as her fitness to practice professional counseling. The burden of proof will be upon Applicant to demonstrate by a preponderance of the evidence that she is capable of conducting herself in a fit and competent manner in the practice of

professional counseling. Upon hearing the petition, the Board may continue, modify, or remove the conditions set forth herein.

d. It is Applicant's responsibility to ensure all reports, evaluations, and documentation required to be filed with the Board pursuant to this Stipulation and Consent Order are timely filed by those making or preparing the report, evaluation, or documentation. Failure to file reports on or before their due date is a violation of this Stipulation and Consent Order. The information contained in the reports, evaluations, and documentation is confidential and must be submitted to the Board by United States Mail, courier, personal delivery, or other method approved by Board staff.

Noncompliance With Requirements for Stayed Suspension

5. If the Committee has probable cause to believe Applicant has failed to comply with or has violated any of the requirements for staying the suspension as outlined in the paragraphs above, the Committee may remove the stay of suspension pursuant to the procedures outlined in paragraph 6 below, with the following additions and exceptions:

a. The removal of the stayed suspension will take effect upon service of an Order of Removal of Stayed Suspension ("Order of Removal"). Applicant agrees that the Committee is authorized to issue an Order of Removal, which will remain in effect and will have the full force and effect of an order of the Board until the Board makes a final determination pursuant to the procedures outlined below. The Order of Removal will confirm the Committee has probable cause to believe Applicant has failed to comply with or has violated one or more of the requirements for staying the suspension of Applicant's license. Applicant further agrees an Order of Removal issued pursuant to this paragraph will be deemed a public document under the

Minnesota Government Data Practices Act. Applicant waives any right to a conference or hearing before removal of the stayed suspension.

b. The Committee will schedule the hearing pursuant to paragraph 6.a. below to be held within 60 days of the notice.

Noncompliance With Stipulation and Consent Order

6. If Applicant fails to comply with or violates this Stipulation and Consent Order, the Committee may, in its discretion, seek additional discipline either by initiating a contested case proceeding pursuant to Minnesota Statutes chapter 14 or by bringing the matter directly to the Board pursuant to the following procedure:

a. The Committee will schedule a hearing before the Board. At least 20 days before the hearing, the Committee will mail Applicant a notice of the violation(s) alleged by the Committee. In addition, the notice will designate the time and place of the hearing. Within ten days after the notice is mailed, Applicant will submit a written response to the allegations. If Applicant does not submit a timely response to the Board, the allegations may be deemed admitted.

b. The Committee, in its discretion, may schedule a conference with Applicant prior to the hearing before the Board to discuss the allegations and to attempt to resolve the allegations through agreement.

c. Prior to the hearing before the Board, the Committee and Applicant may submit affidavits and written argument in support of their positions. At the hearing, the Committee and Applicant may present oral argument. Argument will not refer to matters outside the record. The evidentiary record will be limited to the affidavits submitted prior to the hearing and this Stipulation and Consent Order. The Committee will have the burden of proving by a preponderance of the evidence that a violation has occurred. If Applicant has failed to submit a

timely response to the allegations, Applicant may not contest the allegations but may present argument concerning the appropriateness of additional discipline. Applicant waives a hearing before an administrative law judge, discovery, cross-examination of adverse witnesses, and other procedures governing hearings pursuant to Minnesota Statutes chapter 14.

d. Applicant's correction of a violation before the conference, hearing, or meeting of the Board may be taken into account by the Board but will not limit the Board's authority to impose discipline for the violation. A decision by the Committee not to seek discipline when it first learns of a violation will not waive the Committee's right to later seek discipline for that violation, either alone or in combination with other violations, at any time while Applicant's license is in a suspended status.

e. Following the hearing, the Board will deliberate confidentially. If the allegations are not proved, the Board will dismiss the allegations. If a violation is proved, the Board may impose additional discipline, including additional conditions or limitations on Applicant's practice, an additional period of suspension, additional conditions of reinstatement, or revocation of Applicant's license.

f. Nothing herein will limit the Committee's or the Board's right to temporarily suspend Applicant's license pursuant to Minnesota Statutes section 214.077, based on a violation of this Stipulation and Consent Order or based on conduct of Applicant not specifically referred to herein. Similarly, nothing herein shall limit the Committee's or the Board's right to automatically suspend Applicant's license under chapter 148B.

ADDITIONAL INFORMATION

7. Applicant has been advised that she may choose to be represented by an attorney in this matter. Applicant is unrepresented in this matter. The Committee is represented by Carly Rasmussen, Assistant Attorney General.

8. Applicant waives the contested case hearing and all other procedures before the Board to which Applicant may be entitled under the Minnesota and United States constitutions, statutes, or rules.

9. Applicant waives any claims against the Board, the Minnesota Attorney General's Office, the State of Minnesota, and their agents, employees, and representatives related to the investigation of the conduct herein, or the negotiation or execution of this Stipulation and Consent Order, which may otherwise be available to Applicant.

10. This Stipulation and Consent Order, the files, records, and proceedings associated with this matter will constitute the entire record and may be reviewed by the Board in its consideration of this matter.

11. Either party may seek enforcement of this Stipulation and Consent Order in any appropriate civil court.

12. Applicant has read, understands, and agrees to this Stipulation and Consent Order and has voluntarily signed the Stipulation and Consent Order. Applicant is aware this Stipulation and Consent Order must be approved by the Board before it goes into effect. The Board may either approve the Stipulation and Consent Order as proposed, approve it subject to specified change, or reject it. If the changes are acceptable to Applicant, the Stipulation and Consent Order will take effect, and the order as modified will be issued. If the changes are unacceptable to Applicant or

the Board rejects the Stipulation and Consent Order, it will be of no effect except as specified in the following paragraph.

13. Applicant agrees that if the Board rejects this Stipulation and Consent Order or a lesser remedy than indicated in this settlement, and this case comes again before the Board, Applicant will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation and Consent Order or of any records relating to it.

14. This Stipulation and Consent Order shall not limit the Board's authority to proceed against Applicant by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Applicant which constitutes grounds for disciplinary action, and which is not directly related to the specific facts and circumstances set forth in this document.

DATA PRACTICES NOTICES

15. This Stipulation and Consent Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5. Data regarding this action will be provided to data banks as required by law or consistent with Board policy. While this Stipulation and Consent Order is in effect, information obtained by the Board pursuant to this Order is considered active investigative data on a licensed health professional, and as such, is classified as confidential data pursuant to Minnesota Statutes section 13.41, subdivision 4.

16. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies this Stipulation.

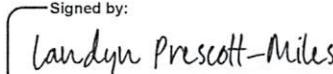
APPLICANT



KRISTA CARPENTER, MS, LPC APPLICANT

Dated: February 18, 2025

COMPLAINT RESOLUTION
COMMITTEE

Signed by:

Landyn Prescott-Miles
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BOARD MEMBER

Dated: 4/25/2025

ORDER

Upon consideration of this Stipulation and all the files, records, and proceedings herein, the Board hereby **GRANTS** Applicant's license to practice as a licensed professional counselor in the State of Minnesota, and immediately **SUSPENDS** and **STAYS** the suspension of Applicant's license to practice as a licensed professional counselor, and adopts all of the terms described above on this 25th day of April, 2025.

MINNESOTA BOARD OF
BEHAVIORAL HEALTH AND THERAPY



SAMANTHA STREHLO
Executive Director