

**Louisiana Licensed Professional
Counselors Board of Examiners**

IN THE MATTER OF

COMPLAINT NUMBER: 22/23-233

ERIC HERPIN, LPC-S

LICENSE NO: LPC-S 4354

CONSENT AGREEMENT AND ORDER

WHEREAS, ERIC HERPIN ("MR. HERPIN") is a Licensed Professional Counselor – Supervisor ("LPC-S"), and is subject to the jurisdiction and rules and regulations of the Louisiana Mental Health Counselor Licensing Act (La. R.S. 37:1101, *et seq.*), and the Professional and Occupational Standards for Professional Counselors (LAC 46:LX §101, *et seq.*);

WHEREAS, on or about May 25, 2023, the Louisiana Licensed Professional Counselors Board of Examiners ("LPCBE") became aware that MR. HERPIN filed to timely report to LPCBE his arrests and misdemeanor charges for Operating a Vehicle While Intoxicated on January 7, 2018, Operating a Vehicle While Under Suspension on April 22, 2018, Operating a Vehicle While Intoxicated and Reckless Operation of a Vehicle on May 23, 2018, and Fugitive under CCRP 575 on April 4, 2019;

WHEREAS, by correspondence dated August 8, 2023, the Board notified MR. HERPIN that the LPCBE filed a Board-initiated complaint against him, provided him with a summary of the nature of the complaint, and requested that MR. HERPIN, within thirty (30) days, provide a statement giving his review of the circumstances, which were the subject of the complaint;

WHEREAS, by correspondence dated August 20, 2023, and received by the Board on September 5, 2023, MR. HERPIN responded to the allegations addressed above;

WHEREAS, pursuant to the complaint and administrative investigation, MR. HERPIN has indicated his desire to resolve this matter through a consent agreement and order as provided for in LAC 46:LX §1311 and La. R.S. 49:975(D) of the Louisiana Administrative Procedure Act;

WHEREAS, MR. HERPIN has admitted to the following:

1. MR. HERPIN is an LPC-S, licensed by the LPCBE to engage in the practice of mental health counseling in the State of Louisiana, as evidenced by LPC-S License Number 4354.
2. At all times pertinent to the facts of this case, MR. HERPIN was actively engaged in the practice of mental health counseling.
3. MR HERPIN failed to timely report to LPCBE his arrests and misdemeanor charges for Operating a Vehicle While Intoxicated on January 7, 2018, Operating a Vehicle While Under Suspension on April 22, 2018, Operating a Vehicle While Intoxicated and Reckless Operation of a Vehicle on May 23, 2018, and Fugitive under CCRP 575 on April 4, 2019.
4. MR. HERPIN acknowledges that the LPCBE may have sufficient information to file an Administrative Complaint based upon the allegations against him, and thereafter proceed to an administrative hearing based upon said allegations. However, in order to avoid proceeding to an administrative hearing, MR. HERPIN agrees to enter into this Consent Order.
5. MR. HERPIN admits that his actions were in violation of La. R.S. 37:1110(A)(3)(9), LAC 46:LX §111(B), LAC 46:LX §1301(A)(B), LAC 46:LX §2107(A)(1)(a)(6)(d), and LAC 46:LX §2117(A)(1)(a).

WHEREAS, the undersigned Prosecutor for LPCBE has communicated with MR. HERPIN, who has indicated that it is his desire to resolve this matter through a Consent Agreement and Order;

WHEREAS, MR. HERPIN recognizes his right to have an administrative adjudication of the charges outlined in the complaint and notice letter, at which time MR. HERPIN would be

entitled to be represented by legal counsel, to call witnesses, and to present witnesses on his behalf in defense or in mitigation of the charges made, and to a decision thereon by the LPCBE based upon written findings of fact and conclusions of law in accordance with the Louisiana Administrative Procedure Act. MR. HERPIN nonetheless hereby waives his right to formal adjudication and, pursuant to La. R.S. 49:975(D), consents to the entry of the Consent Agreement and Order set forth hereinafter. MR. HERPIN also acknowledges that he hereby waives any rights to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:951, *et seq.*, or which he otherwise may be afforded by any law to contest his agreement to, or the force and effect of the LPCBE's investigation or this Consent Agreement and Order in any Court or other forum.

IT IS HEREBY ORDERED that in consideration of the foregoing and pursuant to the authority vested in the LPCBE by La. R.S. 49:975(D), the LPCBE orders and MR. HERPIN accepts the following administrative action, which is a final decision pursuant to La. R.S. 49:977:

1. The LPC-S license of ERIC HERPIN to be engaged in the practice of mental health counseling in the State of Louisiana, as evidenced by LPC-S license number 4354 shall be, and is hereby **SUSPENDED** for a period of six (6) months from the date this Order is approved by the Board. Accordingly, MR. HERPIN accepts and shall maintain strict compliance with the following terms and conditions.
2. MR. HERPIN shall obtain six (6) continuing education hours in ethics, approved by the National Board of Certified Counselors ("NBCC"), the American Counseling Association ("ACA"), or the Louisiana Counseling Association ("LCA"). The continuing education hours must be completed before the expiration of his period of suspension. These continuing education hours must be completed in addition to all standard renewal requirements for his LPC-S licensure.
3. Upon request, MR. HERPIN shall complete a Memorandum of Understanding ("MOU") with the Professional Assistance Program ("PAP") and shall comply with all terms of the MOU. Once executed, failure to comply with the MOU may result in additional discipline.
4. MR. HERPIN shall pay a fine as authorized by La. R.S. 37:1106(D) for the above referred violations in the amount of FIVE HUNDRED DOLLARS (\$500.00) within two (2) years from the date that all parties sign this Consent Agreement and Order, which payments shall be made by certified check or money order. The

payment(s) shall be made on a quarterly basis, in accordance with due dates established by the Board, and with the first payment due within thirty (30) days from the date that all parties sign this Consent Agreement and Order. There shall be no pre-payment penalty.

5. MR. HERPIN shall reimburse legal costs associated with Complaint Number 22/23-233 in the amount of ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) within two (2) years from the date that all parties sign this Consent Agreement and Order, which payment shall be made by certified check or money order. The payment(s) shall be made on a quarterly basis, in accordance with due dates established by the Board, and with the first payment due within thirty (30) days from the date that all parties sign this Consent Agreement and Order. There shall be no pre-payment penalty.
6. MR. HERPIN specifically acknowledges that failure to comply with the terms of this Consent Agreement and Order may result in a denial, revocation, or suspension of any license, certificate, or registration issued by, or applied for, in accordance with La. R.S. 37:1110.
7. MR. HERPIN further acknowledges that failure to reimburse the fines and fees set forth above at Paragraphs 4 and 5 will require the Board to take further action in collection of this debt. Respondent has twenty-four (24) months to reimburse the expenses before the debt will be considered final and transferred to the Louisiana Office of Debt Recovery (ODR). After transfer, the debt is subject to an additional collection fee of up to twenty-five percent (25%) of the total debt liability, as provided for in La. R.S. 47:1676(E).
8. MR. HERPIN acknowledges that in order for his license to be reinstated, the Board shall evaluate his suspension after the expiration of the six (6) month period, as required by LAC 46:LX §1321, and shall recommend to the Board Chair the reinstatement or revocation of his license. The Board also reserves the right to place any restrictions on MR. HERPIN's license deemed necessary, in the event of the reinstatement of his license. Prior to requesting reinstatement of his license, MR. HERPIN must have completed all Continuing Education required by this Agreement. If he has failed to meet any obligations under this Agreement, MR. HERPIN agrees that the Board staff are authorized to reject his request for reinstatement.
9. MR. HERPIN shall report the terms of this Consent Agreement and its approval to any board or agency located in the United States with which he is licensed.
10. By agreeing to the terms of this Consent Agreement and Order, MR. HERPIN waives all rights to appeal this adjudication.

Effect of Non-Acceptance of Agreement. MR. HERPIN acknowledges that this Consent Agreement and Order is subject to the approval of the Board. He further acknowledges and agrees

that if the Board rejects this Consent Agreement and Order, it will be void, and an Administrative Complaint may be filed relative to the allegations contained herein. If this Consent Agreement and Order is rejected by the Board, it will not constitute a waiver of MR. HERPIN'S right to a hearing on the matters alleged in an Administrative Complaint and the admissions contained herein will have no effect. He further agrees that if the Board rejects this Consent Agreement and Order, the members of the Board may decide the matter after a hearing, and their consideration of this Consent Agreement and Order shall not alone be grounds for recusal of any member of the Board, including any claims that the Board is biased against him, that it cannot fairly decide the case, or that it has received *ex parte* communication.

Address of Board. All payments ordered and any reports required by this Consent Agreement shall be addressed to:

Louisiana Licensed Professional Counselors Board of Examiners
11410 Lake Sherwood Ave. North, Suite A
Baton Rouge, Louisiana 70816

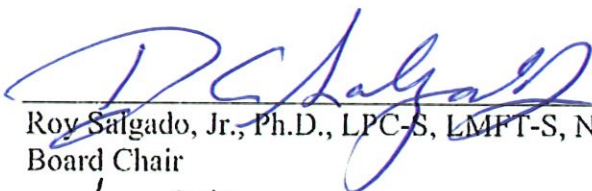
THIS CONSENT AGREEMENT AND ORDER shall take effect immediately upon adoption by the LPCBE and are a matter of public record. The terms of this Consent Agreement and Order may be published and reported in, including but not limited to, the LPCBE Newsletter and website, the National Board for Certified Counselors, and the National Practitioners Data Bank (NPDB).

THE ADMISSIONS AND FINDINGS CONTAINED HEREIN are intended solely for the purpose of resolving the case at hand or in connection with other matters before the LPCBE involving Respondent, MR. HERPIN.

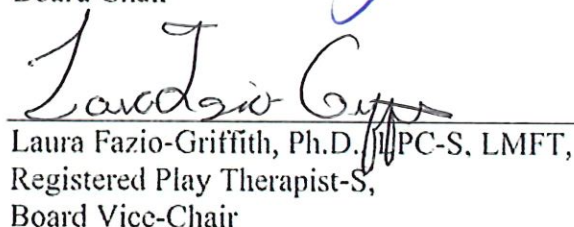
ORDER

The Louisiana Licensed Professional Counselors Board of Examiners, having examined the Consent Agreement and Order, Complaint Number 22/23-233 adopt the Consent Agreement and Order in this matter on this 20th day of September, 2024.

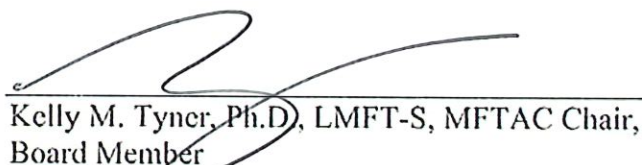
LOUISIANA LICENSED PROFESSIONAL COUNSELORS BOARD OF EXAMINERS



Roy Salgado, Jr., Ph.D., LPC-S, LMFT-S, NCC,
Board Chair

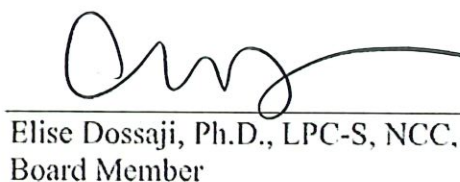


Laura Fazio-Griffith, Ph.D., LPC-S, LMFT,
Registered Play Therapist-S,
Board Vice-Chair

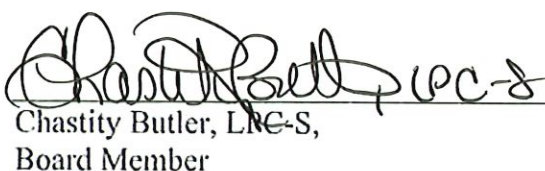


Kelly M. Tyner, Ph.D., LMFT-S, MFTAC Chair,
Board Member


Abby Hays, LPC, LMFT,
Board Member



Elise Dossaji, Ph.D., LPC-S, NCC,
Board Member

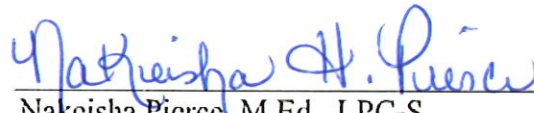



Chastity Butler, LPC-S,
Board Member


Mark Reynaud, M.A., LPC-S, LMFT-S, MFTAC Member,
Board Member

Earnest Airhia, Ph.D., LPC-S, LAC,
Board Member

Kristal Hebert, M.S., QDDP
Member at Large


Nakisha Pierce, M.Ed., LPC-S,
Board Secretary


Foley Nash, LPC-S, LMFT-S, MFTAC Vice-Chair,
Board Member

I, **JAMES R. RAINES**, serving as Prosecutor, do hereby acknowledge negotiation and preparation of this Consent Agreement and Order in order to resolve, with prejudice, all matters for which ERIC HERPIN, LPC-S, could be charged under Complaint Number 22/23-233; and further certify that this Consent Agreement and Order is consistent with the evidence, adequately addresses the complaint and represents a true and correct statement of that which could be proven at a hearing of this matter.


JAMES R. RAINES

9/17/27
Date

I, ERIC HERPIN, LPC-S, make these acknowledgements and waivers in support of a final disposition of the pending investigation of Complaint Number 22/23-233 by Consent Agreement and Order ("Order") pursuant to La. R.S. 49:975(D), in lieu of the institution and prosecution of formal administrative proceedings, and accordingly consent to the entirety of the Order set forth herein and further waive any right to which I may be entitled under the Louisiana Administrative Procedure Act or any other law to contest, in any court, by agreement to this Order. By my subscription hereto, I also hereby authorize the Prosecutor to present this Order to the LPCBE for its consideration and to disclose to and discuss with the LPCBE the nature and results of the investigation of this matter. I herein waive any objection to such disclosure based on due process of law under either the State or Federal Constitution or under State statutory law, including La. R.S. 49:977.2. I expressly acknowledge that the disclosure of such information to the LPCBE shall be without prejudice to the Prosecutor's authority to file a formal Administrative Complaint, or the LPCBE's capacity to adjudicate such Administrative Complaint, should the LPCBE decline to approve this Consent Agreement and Order. I further acknowledge my awareness that should the LPCBE approve this Consent Agreement and Order that the Consent Agreement and Order will become a matter of public record.

Eric Herpin
ERIC HERPIN

Date 9-16-24

I, ERIC HERPIN, have read the Consent Agreement and Order, understand it, and agree to be bound by its terms and conditions.

DATED: 9-16-24

Eric Herpin
ERIC HERPIN

SUBSCRIBED AND SWORN TO before me this 16 day of Sept, 2024,
at Caddo, Louisiana.

William Lance Fouts
Notary Public



WILLIAM LANCE FOUTS
Notary Public
Notary ID No. 138509
Caddo Parish, Louisiana
My Commission is for life.

Print Name: William Lance Fouts
My Commission Expires: Life