

**STATE OF RHODE ISLAND  
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH  
HEALTH SERVICES REGULATION  
BOARD OF MENTAL HEALTH COUNSELORS  
AND MARRIAGE AND FAMILY THERAPY**

**vs.**

**DENNIS DIPINTO (MHC00087)**

**CONSENT ORDER**

Pursuant to Section 5-63.2 of the General Laws of the State of Rhode Island, 2004 Reenactment, and the Rules and Regulations promulgated thereunder, the Rhode Island Department of Health (hereinafter "Department"), after review and consultation with the Board of Mental Health Counselors and Marriage and Family Therapists (hereinafter "Board") has investigated a complaint charging Dennis DiPinto, MHC, (hereinafter "Respondent"), with a violation of Chapter 5-63.2-21 of the General Laws of the State of Rhode Island, 2004 Reenactment.

After consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is a mental health counselor licensed to practice in the State of Rhode Island.
2. That Respondent does admit to an addiction to habit-forming drugs, including but not limited to benzodiazepines.
3. That the conduct described in paragraph two (2) herein constitutes unprofessional conduct as defined in Section 5-63.2-21 and the Rules and Regulations promulgated thereunder.

The parties agree as follows:

1. Respondent is a licensed mental health counselor and able to conduct business under and by virtue of the laws of the State of Rhode Island.

7. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.
8. Respondent agrees to a one (1) year period of probation that will abate for the duration of any period in which Respondent ceases to be employed as a mental health counselor.
9. That, during the period of probation, Respondent's employer(s) shall submit to weekly urine drug screenings, the results of which shall be submitted to the Department. That it shall be the responsibility of Respondent to request that said results be submitted.
10. That any positive urine drug screening will result in an automatic one-year suspension of the Respondent's license without the need for further hearing.
11. That during the period of probation, the Respondent shall receive therapy for substance abuse and mental health issues, with a healthcare professional approved by the Department. Reports of said therapy shall be submitted monthly to the Department. That it shall be the responsibility of Respondent to request that the healthcare professional submit said reports.
12. Respondent waives confidentiality of treatment and will direct the healthcare professional(s) rendering treatment to release any progress reports to the Department including, but not limited to, counseling reports and weekly urine and drug screening reports for the duration of the Respondent's contract with the healthcare professional(s).
13. This Consent Order will be transmitted forthwith to the healthcare professional(s), which is hereby directed by the Respondent to notify the Department of any breach or termination by the Respondent of treatment.
14. That should Respondent comply with the laws and regulations governing the practice of mental health counseling and comply with the terms of this Order during the period of probation Respondent may apply to the Department for an unrestricted license.


2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department.
4. Respondent hereby acknowledges and waives:
  - a) The right to appear personally or by counsel or both before the Department;
  - b) The right to produce witnesses and evidence in his behalf at a hearing;
  - c) The right to cross-examine witnesses;
  - d) The right to have subpoenas issued by the Department;
  - e) The right to further procedural steps except for those specifically contained herein;
  - f) Any and all rights of appeal of this Consent Order;
  - g) Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;
  - h) Any objection to the fact that it will be necessary for the Department to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
  - i) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Department.
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and Respondent's license shall reflect that the status is "Active Probation".
6. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of the facts herein.

15. That should Respondent fail to comply with the laws and regulations governing the practice of mental health counseling and/or fail to comply with the terms of this Order, the license as a mental health counselor shall be subject to suspension or other appropriate disciplinary action.

6-14-05  
Date

  
Dennis DiPinto

Approved on this 17<sup>th</sup> day of June 2005

  
Charles Alexandre  
Chief, Health Professionals Regulation