

**STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF ALLIED MENTAL HEALTH PRACTITIONERS**

IN RE:

**TRICIA SANBORN
LICENSE NO. 097.0135603**

DOCKET NO. 2023-117

Participating Board Members:

Robert Wubbenhorst, LCMHC, Acting Chair
Annie Ramniceanu, LADC, LCMHC, Ad Hoc
Christopher Berry, Public Member

Jessyca Nelle, LCMHC, Rostered
Manpreet Mann, Public Member

Appearances:

Prosecutor: George Hasselbeck, Esq.
Applicant: Appeared, *Pro Se*

Presiding Officer: Wesley M. Lawrence

Exhibits Admitted:

State Exhibit 1: Surveillance, digital images, dated June 11, 2023

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON SUMMARY
SUSPENSION**

Based on the evidence before the Board of Allied Mental Health Practitioners (the "Board") and following a summary suspension hearing on September 21, 2023 via Microsoft Teams, we find as follows:

Findings of Fact

1. Tricia Sanborn ("Respondent") of Barnet, Vermont is licensed by the State of Vermont as a Non-Licensed and Non-Certified Psychotherapist ("NLNCP") under license number 097.0135603. This license was originally issued on October 28, 2022, and it expires on November 30, 2024.
2. The Board has authority to summarily suspend a license pending further action if it determines that public health, safety, or welfare imperatively require emergency action. *See* 3 V.S.A. § 814(c).
3. Respondent had adequate notice of the summary suspension hearing as evidenced by her appearance at it for the first few minutes, at least. Respondent asked that the hearing be rescheduled due to illness and a recent accident. The State opposed this request. At some

point during the State's argument in opposition to the requested continuance, Respondent's connection to the Microsoft Teams meeting ended. There was no evidence of any effort by Respondent to reconnect, and the Presiding Officer asked at various junctures if she had rejoined; there was no response. Upon consideration of the totality of circumstances, interest of public safety, and because Respondent will have the opportunity for a full hearing on the merits, the request for a continuance was denied and the summary suspension hearing proceeded.

4. The State called one witness, Investigator Matthew Knisley, to testify. He is an investigator in the Office of Professional Regulation and has been in that position since August 2021. He has been a certified law enforcement officer since 2001.
5. On or about June 26, 2023, his office received a report from a short-term inpatient drug rehab facility in Bradford ("Facility"). The Facility reported that Respondent been employed as a NLNCP, and had an inappropriate relationship with an inpatient ("Patient"). As part of her employment at the Facility, Respondent was assigned to provide mental health counseling services to Patient.
6. In response to this report, Inv. Knisley spoke with the Facility's Vice President of Medical and Clinical Services, reviewed digital images from the Facility's surveillance camera, spoke with Patient and twice (unsuccessfully) attempted to interview Respondent.
7. Patient was enrolled in a two-week, inpatient program for cocaine addiction.
8. Patient reported that he first met Respondent for therapy on June 3 or 4, 2023. It quickly morphed from a therapist relationship to one that he felt was "crossing the line."
9. Respondent reportedly invited Patient into her office for coffee from her personal coffee maker, eschewing the publicly available coffee in the facility.
10. Subsequently, Respondent begged Patient to leave the Facility against medical advice so that he could come to her house, and in doing so, informed him that she had a king-sized bed, saying that they could "take their time" regarding an intimate relationship. Patient responded that he needed to live in a sober living facility, instead, upon discharge.
11. At some point during June 2023, Respondent showed Patient pictures of her clad only in her underwear.
12. Patient also reported an encounter which occurred on or about June 11, 2023. Respondent was not scheduled to work on June 11, 2023, but was at the facility anyway. Patient described Respondent as "mean" for purportedly having spurned her advances, telling him to "shut up" as they passed in the facility's hallway. Patient later went into Respondent's office to sign paperwork. While in Respondent's office, they began kissing each other. Respondent tried to unbutton Patient's pants. Patient asked Respondent to stop, and she stopped.

13. Patient was initially hesitant to report this behavior because of his perception that Respondent, as his assigned therapist, could interfere with his timely graduation from his recovery program and/or keep him from the sober living house in which he would be living following his stay at the Facility.
14. Inv. Knisley tried to meet with Respondent at her residence on July 25, 2023. Multiple signs posted there warned of attack dogs on the premises that posed a risk of physical harm. Inv. Knisley and Respondent spoke by phone that day, and Respondent offered to meet him the next day, July 26, 2023, at the Lyndonville Cumberland Farms. Investigator Knisley and Office of Professional Regulation's chief investigator traveled there together. They waited an hour for Respondent. Respondent did not appear at Cumberland Farms as scheduled, and did not answer or respond to the phone calls that Inv. Knisley placed to Respondent while they waited there. Respondent made no effort to contact Inv. Knisley from that point forward.
15. Inv. Knisley obtained digital images from the Facility, which were taken on June 11, 2023. He recognized the interior and exterior of the Facility because he had been there before. While the time stamped still shots, for example, do not depict anything that transpired in Respondent's office, the timing of these images place Respondent and Patient together that day in Respondent's office for a protracted period of time.

Conclusions of Law

1. The Board is authorized to sanction and/or take disciplinary action against a person on the Roster of Non-Licensed and Non-Certified Psychotherapists ("Roster"), premised on a finding of unprofessional conduct. *See* 26 V.S.A. §4082(2).
2. Based on the conduct established to have occurred, involving unprofessional behavior towards a vulnerable patient undergoing drug rehabilitation, and probable violations of the following statutes:
 - 3 V.S.A. §129a(b)(1) (Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred);
 - 26 V.S.A. §4093(a)(7) (Entering into an additional relationship with a client, supervisee, research participant, or student that might impair the NLNCP's objectivity or otherwise interfere with the clinical mental health counselor's professional obligations);
 - 3 V.S.A. §129a(a)(26) (Failing to maintain professional boundaries);

the Board finds that the standard of summary suspension has been met: that members of the public, patients, and potential patients have no way of learning of Respondent's dangerous behavior, as alleged, and will remain unprotected during the pendency of these

proceedings. The facts as set forth above establish that in order to protect the public health, safety, and/or welfare of the people of the State of Vermont, emergency action is imperative.

3. It is troubling that Respondent did not cooperate with Inv. Knisley during his investigation of these serious allegations, and the Board expects to hear testimony from Respondent at the merits hearing regarding this failure.
4. Vermont law requires that unprofessional charges be filed promptly with Respondent being afforded a prompt hearing. At any merits hearing in this matter, the State will bear the burden of proving unprofessional conduct. The Findings and Conclusions in this Order and/or the summary suspension phase will not absolve the State or Respondent from producing or challenging relevant evidence at a merits hearing. The Findings of Fact and Conclusions of Law at a contested merits hearing will be based exclusively on the evidence admitted at that hearing.

ORDER

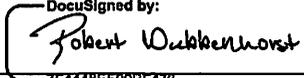
Based on the Findings of Fact and Conclusions of Law above, it is **ORDERED AND ADJUDGED** as follows:

The State's request for Summary Suspension is **GRANTED**. Respondent's NLNCP license, number 097.0135603, is hereby summarily suspended pursuant to 3 V.S.A. §814(c), pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

SO ORDERED,

**VERMONT BOARD OF
ALLIED MENTAL HEALTH PRACTITIONERS**

Dated: 9/27/2023

By: 
Robert Wubbenhorst, LCMHC, Acting Chair

OFFICE OF PROFESSIONAL REGULATION DATE OF ENTRY: 9/27/2023