

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

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

vs. : **A.H. FILE NO. (HSR) 2008-50**

DENNIS DIPINTO (MHC00087)

CONSENT ORDER

This matter is before the Rhode Island Department of Health (hereinafter "Department"), Board of Mental Health Counselors and Marriage and Family Therapists (hereinafter "Board") upon matters contained in a Administrative Hearing Notice issued to Dennis DiPinto (hereinafter "Respondent") on December 17, 2008. Specifically, it was alleged that Respondent, on or about September 12, 2008 Respondent's license to practice as a mental health counselor, having been suspended, was reinstated by the Board. That on or about September 15, 2008, Respondent renewed his mental health counselor license with the Department. Upon review it was determined that Respondent answered No to question number 3: "Since you last renewed have you been convicted of a violation, pled Nolo Contendere, or entered a plea bargain to any federal, state, or local statute, regulation or ordinance or are any formal charges pending?" Respondent misrepresented himself in that on or about March 6, 2008 Respondent pled Nolo Contendere to a misdemeanor offense.

Pursuant to Section 5-63.2-21 this conduct constitutes unprofessional conduct in the State of Rhode Island and, as such, is grounds for disciplinary action.

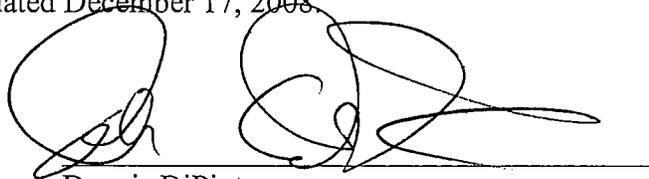
Prior to the date set for hearing, it was agreed as follows:

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

2. Respondent admits to the jurisdiction of the Board 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 and the contents thereof are not binding on Respondent until signed by all parties.
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.
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.
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 two- (2) year period of probation. That, during the period of probation, Respondent shall work under the supervision of a qualified supervisor approved by the Board. That said supervision shall commence upon approval of the supervisor by the Board.

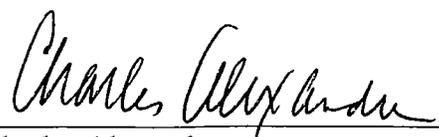
9. That during the period of probation, Respondent shall submit to monthly supervision with a Board approved supervisor and that reports of said supervision shall be submitted to the Board on a quarterly basis. That it shall be the responsibility of Respondent to request that the supervisor submit said reports
10. 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 two (2) year period of probation Respondent may apply to the Board for an unrestricted license.
11. 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.
12. That this Consent Order shall constitute a final disposition of the matters contained in the Administrative Hearing Notice dated December 17, 2008.

Date 4.1.09


Dennis DiPinto


John Manni, Esq.

Approved on this 9th day of April 2009


Charles Alexandre
Chief, Health Professions Regulation