ORIGINAL

BEFORE THE IDAHO STATE COUNSELOR

LICENSING BOARD

In the Matter of the License of:	)	Case Nos. COU-P3C-02A-99-008
	)	COU-P3C-02A-99-011
WILLIAM J. McKEETH,	)	COU-P3C-02A-99-012
License No. LPCP-212,	)	
	)	**STIPULATION AND**
Respondent.	)	**CONSENT ORDER**
	)	

Cnslr\McKeeth\P9280lwa

WHEREAS, information having been received by the Idaho State Counselor Licensing Board (hereinafter the "Board") which constitutes sufficient grounds for the initiation of an administrative action against William J. McKeeth (hereinafter "Respondent"); and

WHEREAS, the parties mutually agree to settle the matter pending administrative Board action in an expeditious manner; now, therefore,

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

A.

1. The Board may regulate the practice of professional counseling in the State of Idaho in accordance with title 54, chapter 34, Idaho Code.

2. Respondent William J. McKeeth is a licensee of the Idaho State Counselor Licensing Board and holds License No. LPCP-212 to practice professional counseling in private practice in the State of Idaho. Respondent's license is subject to the provisions of title 54, chapter 34, Idaho Code.

ALLEGATIONS RELEVANT TO THE TREATMENT OF NICKY S.

3. On or about May 10, 1999, through May 18, 1999, Nicky S. sought and received professional counseling services from Respondent at his office located at 8880

Overland Road in Boise, Idaho, for marital and/or other emotional problems.

4. During the course of providing counseling services to Nicky S., Respondent repeatedly engaged in touching Nicky S. during counseling sessions in a sexual manner and engaged in comments of a sexual nature. Respondent's conduct included, but is not limited to, touching Nicky S. under and/or through her clothing on and/or near her breasts, neck, upper chest area, and/or stomach area; attempting to place Respondent's hands over the breasts of Nicky S.; instructing Nicky S. to have a silent orgasm during a counseling session; and placing the hands of Nicky S. over her pelvic and/or groin area. Respondent also initiated hugs with Nicky S. at the conclusion of counseling sessions.

5. During the course of providing counseling services to Nicky S., Respondent would tell Nicky S. that he loved her.

6. Respondent often telephoned Nicky S. at home after business hours to inquire about her wellbeing and encouraged daily counseling sessions. Respondent also discouraged Nicky S. from discussing her care and treatment with her husband and/or other family members.

7. Respondent utilized hypnosis as a treatment tool and failed to obtain informed consent and/or document that he informed Nicky S. of the purpose, goals, techniques, procedures, potential risks, and benefits of the hypnosis therapy.

8. On or about May 10, 1999, through May 18, 1999, Respondent also provided professional counseling services to the husband of Nicky S. (hereinafter "Mr. S."). During the course of providing counseling services to Mr. S., Respondent encouraged Mr. S. to separate from Nicky S. and/or obtain a divorce.

9. Respondent failed to adequately document the professional services provided to Nicky S., including but not limited to, patient history and the nature, delivery, progress and results of professional counseling services.

10. Respondent's conduct as described in paragraphs 3 through 9 constitutes a violation of Idaho Code § 54-3407(5), IDAPA 24.15.01.350, and the following ethical

provisions:

a. ACA Provision A.1.a, the primary responsibility of counselors is to respect the dignity and to promote the welfare of clients;

b. ACA Provision A.1.b, counselors encourage client growth and development in ways that foster the client's interest and welfare; counselors avoid fostering dependent counseling relationships;

c. ACA Provision A.3.a, when counseling is initiated, and throughout the counseling process as necessary, counselors inform clients of the purposes, goals, techniques, procedures, limitations, potential risks, and benefits of services to be performed, and other pertinent information. Counselors take steps to ensure that clients understand the implications of diagnosis, the intended use of tests and reports, fees, and billing arrangements. Clients have the right to refuse any recommended services and be advised of the consequences of such refusal.

d. ACA Provision A.5.a, counselors are aware of the intimacy and responsibilities inherent in the counseling relationship, maintain respect for clients, and avoid actions that seek to meet their personal needs at the expense of clients;

e. ACA Provision A.6.a, counselors are aware of their influential positions with respect to clients, and they avoid exploiting the trust and dependency of clients;

f. ACA Provision A.7.a, counselors do not have any type of sexual intimacies with clients;

g. ACA Provision B.4.a, counselors maintain records necessary for rendering professional services to their clients and as required by laws, regulations, or agency or institution procedures; and/or

h. ACA Provision C.5.e, counselors do not use their professional positions to seek or receive unjustified personal gains, sexual favors, unfair advantage, or unearned goods or services.

ALLEGATIONS RELEVANT TO THE TREATMENT OF CRYSTAL H.

11. In or about April 1999 through August 1999, Crystal H. sought and received professional counseling services from Respondent at his office located at 8880 Overland Road in Boise, Idaho, for marital and/or other emotional problems.

12. During the course of providing counseling services to Crystal H., Respondent repeatedly engaged in touching Crystal H. during counseling sessions in a sexual manner and engaged in comments of a sexual nature. Respondent's conduct included, but is not limited to, touching Crystal H. underneath and/or through her clothing on and/or near her breasts, neck, upper chest, stomach, groin, pelvic area, and upper inner thighs. Respondent also initiated hugs with Crystal H. at the end of counseling sessions. Respondent would tell Crystal H. that the touching was necessary to relieve her pain and to relax her.

13. During the course of providing counseling services to Crystal H., Respondent would tell Crystal H. that he loved her.

14. Respondent often telephoned Crystal H. at home after business hours to inquire about her wellbeing and encouraged counseling sessions after business hours. Respondent also discouraged Crystal H. from discussing her care and treatment with her husband and/or other family members.

15. Respondent utilized hypnosis as a treatment tool and failed to obtain informed consent and/or document that he informed Crystal H. of the purpose, goals, techniques, procedures, potential risks, and benefits of the hypnosis therapy. Crystal H., during the course of counseling sessions, refused to undergo further hypnosis therapy, yet Respondent encouraged Crystal H. to continue with the therapy.

16. In or about April 1999 through August 1999, Respondent also provided professional counseling services to the husband of Crystal H. (hereinafter "Mr. H."). During the course of providing counseling services to Mr. H., Respondent encouraged

Mr. H. to separate from Crystal H. and/or obtain a divorce.

17. During one counseling session on or about August 5, 1999, Respondent encouraged Crystal H. to divorce her husband and gave her divorce forms to fill out and bring back.

18. Respondent failed to adequately document the professional services provided to Crystal H., including but not limited to patient history and the nature, delivery, progress and results of professional counseling services.

19. Respondent billed the insurance company of Crystal H. for services which he did not provide between February 2, 1999, and April 13, 1999.

20. Respondent's conduct as described in paragraphs 11 through 19 constitutes a violation of Idaho Code § 54-3407(5), IDAPA 24.15.01.350, and the following ethical provisions:

a. ACA Provision A.1.a, the primary responsibility of counselors is to respect the dignity and to promote the welfare of clients;

b. ACA Provision A.1.b, counselors encourage client growth and development in ways that foster the client's interest and welfare; counselors avoid fostering dependent counseling relationships;

c. ACA Provision A.3.a, when counseling is initiated, and throughout the counseling process as necessary, counselors inform clients of the purposes, goals, techniques, procedures, limitations, potential risks, and benefits of services to be performed, and other pertinent information. Counselors take steps to ensure that clients understand the implications of diagnosis, the intended use of tests and reports, fees, and billing arrangements. Clients have the right to refuse any recommended services and be advised of the consequences of such refusal.

d. ACA Provision A.5.a, counselors are aware of the intimacy and responsibilities inherent in the counseling relationship, maintain respect for clients, and avoid actions that seek to meet their personal needs at the expense of clients;

e. ACA Provision A.6.a, counselors are aware of their influential positions with respect to clients, and they avoid exploiting the trust and dependency of clients;

f. ACA Provision A.7.a, counselors do not have any type of sexual intimacies with clients;

g. ACA Provision B.4.a, counselors maintain records necessary for rendering professional services to their clients and as required by laws, regulations, or agency or institution procedures;

h. ACA Provision C.5.c., counselors are accurate, honest, and unbiased in reporting their professional activities and judgments to appropriate third parties including courts, health insurance companies, those who are the recipients of evaluation reports, and others; and/or

i. ACA Provision C.5.e, counselors do not use their professional positions to seek or receive unjustified personal gains, sexual favors, unfair advantage, or unearned goods or services.

ALLEGATIONS RELEVANT TO THE TREATMENT OF TABITHA Z.

21. In or about September 1998 through August 1999, Tabitha Z. sought and received professional counseling services from Respondent at his office located at 8880 Overland Road in Boise, Idaho, for emotional problems.

22. During the course of providing counseling services to Tabitha Z., Respondent repeatedly engaged in touching Tabitha Z. during counseling sessions in a sexual manner and engaged in comments of a sexual nature. Respondent's conduct included, but is not limited to, touching Tabitha Z. underneath and/or through her clothing on and/or near her breasts, neck, upper chest, stomach, groin, pelvic area, back, and upper inner thighs. Respondent also initiated hugs with Tabitha Z. at the end of counseling sessions. Respondent would tell Tabitha Z. that the touching was necessary to relax her

and to relieve her pain.

23. Respondent often telephoned Tabitha Z. at home to inquire about her wellbeing and encouraged scheduling counseling sessions after business hours. Respondent also discouraged Tabitha Z. from discussing her care and treatment with her husband and/or other family members.

24. Respondent utilized hypnosis as a treatment tool and failed to obtain informed consent and/or document that he informed Tabitha Z. of the purpose, goals, techniques, procedures, potential risks, and benefits of the hypnosis therapy.

25. During the course of providing counseling services to Tabitha Z., Respondent would tell Tabitha Z. that he loved her.

26. On or about August 5, 1999, at the termination of a counseling session with Respondent, Respondent attempted to kiss Tabitha Z.

27. During a telephone conversation with Tabitha Z., Respondent admitted to touching Tabitha Z. during counseling sessions.

28. In or about September 1998 through August 1999, Respondent also provided professional counseling services to the husband of Tabitha Z. (hereinafter "Mr. Z."). During the course of providing counseling services to Mr. Z., Respondent encouraged Mr. Z. to separate from Tabitha Z. and/or obtain a divorce.

29. Respondent failed to adequately document the professional services provided to Tabitha Z., including but not limited to patient history, and the nature, delivery, progress and results of professional counseling services.

30. Respondent's conduct as described in paragraphs 21 through 29 constitutes a violation of Idaho Code § 54-3407(5), IDAPA 24.15.01.350, and the following ethical provisions:

a. ACA Provision A.1.a, the primary responsibility of counselors is to respect the dignity and to promote the welfare of clients;

b. ACA Provision A.1.b, counselors encourage client growth and

development in ways that foster the client's interest and welfare; counselors avoid fostering dependent counseling relationships;

c. ACA Provision A.3.a, when counseling is initiated, and throughout the counseling process as necessary, counselors inform clients of the purposes, goals, techniques, procedures, limitations, potential risks, and benefits of services to be performed, and other pertinent information. Counselors take steps to ensure that clients understand the implications of diagnosis, the intended use of tests and reports, fees, and billing arrangements. Clients have the right to refuse any recommended services and be advised of the consequences of such refusal.

d. ACA Provision A.5.a, counselors are aware of the intimacy and responsibilities inherent in the counseling relationship, maintain respect for clients, and avoid actions that seek to meet their personal needs at the expense of clients;

e. ACA Provision A.6.a, counselors are aware of their influential positions with respect to clients, and they avoid exploiting the trust and dependency of clients;

f. ACA Provision A.7.a, counselors do not have any type of sexual intimacies with clients;

g. ACA Provision B.4.a, counselors maintain records necessary for rendering professional services to their clients and as required by laws, regulations, or agency or institution procedures; and/or

h. ACA Provision C.5.e, counselors do not use their professional positions to seek or receive unjustified personal gains, sexual favors, unfair advantage, or unearned goods or services.

ALLEGATIONS RELEVANT TO THE TREATMENT OF TAUNA R.

31. In or about December 1998 and August 1999, Tauna R. sought and received professional counseling services from Respondent at his office located at 8880 Overland Road in Boise, Idaho, for emotional problems.

32. During the course of providing counseling services to Tauna R., Respondent repeatedly engaged in touching Tauna R. during counseling sessions in a sexual manner and engaged in comments of a sexual nature. Respondent's conduct included, but is not limited to, touching Tauna R. in her groin area, vaginal area and/or breasts area outside the scope of medical or psychological treatment and/or for the purpose of sexual arousal, gratification or abuse.

33. Respondent's conduct as described in paragraphs 31 and 32 constitutes a violation of Idaho Code § 54-3407(5), IDAPA 24.15.01.350, and the following ethical provisions:

a. ACA Provision A.1.a, the primary responsibility of counselors is to respect the dignity and to promote the welfare of clients;

b. ACA Provision A.1.b, counselors encourage client growth and development in ways that foster the client's interest and welfare; counselors avoid fostering dependent counseling relationships;

c. ACA Provision A.5.a, counselors are aware of the intimacy and responsibilities inherent in the counseling relationship, maintain respect for clients, and avoid actions that seek to meet their personal needs at the expense of clients;

d. ACA Provision A.6.a, counselors are aware of their influential positions with respect to clients, and they avoid exploiting the trust and dependency of clients;

e. ACA Provision A.7.a, counselors do not have any type of sexual intimacies with clients;

f. ACA Provision C.5.e, counselors do not use their professional positions to seek or receive unjustified personal gains, sexual favors, unfair advantage, or unearned goods or services.

ALLEGATIONS RELEVANT TO THE TREATMENT OF GARA M.

34. In or about March 1999 and June 1999, Gara M. sought and received professional counseling services from Respondent at his office located at 8880 Overland Road in Boise, Idaho, for emotional problems.

35. During the course of providing counseling services to Gara M., Respondent repeatedly engaged in touching Gara M. during counseling sessions in a sexual manner and engaged in comments of a sexual nature. Respondent's conduct included, but is not limited to, touching Gara M. in her groin area, vaginal area and/or breasts area outside the scope of medical or psychological treatment and/or for the purpose of sexual arousal, gratification or abuse.

36. Respondent's conduct as described in paragraphs 34 and 35 constitutes a violation of Idaho Code § 54-3407(5), IDAPA 24.15.01.350, and the following ethical provisions:

a. ACA Provision A.1.a, the primary responsibility of counselors is to respect the dignity and to promote the welfare of clients;

b. ACA Provision A.1.b, counselors encourage client growth and development in ways that foster the client's interest and welfare; counselors avoid fostering dependent counseling relationships;

c. ACA Provision A.5.a, counselors are aware of the intimacy and responsibilities inherent in the counseling relationship, maintain respect for clients, and avoid actions that seek to meet their personal needs at the expense of clients;

d. ACA Provision A.6.a, counselors are aware of their influential positions with respect to clients, and they avoid exploiting the trust and dependency of clients;

e. ACA Provision A.7.a, counselors do not have any type of sexual intimacies with clients;

f. ACA Provision C.5.e, counselors do not use their professional positions to seek or receive unjustified personal gains, sexual favors, unfair advantage, or unearned goods or services.

ALLEGATIONS RELEVANT TO THE TREATMENT OF SUSAN M.

37. In or about June 1999 and August 1999, Susan M. sought and received professional counseling services from Respondent at his office located at 8880 Overland Road in Boise, Idaho, for emotional problems.

38. During the course of providing counseling services to Susan M., Respondent repeatedly engaged in touching Susan M. during counseling sessions in a sexual manner and engaged in comments of a sexual nature. Respondent's conduct included, but is not limited to, touching Susan M. in her groin area, vaginal area and/or breasts area outside the scope of medical or psychological treatment and/or for the purpose of sexual arousal, gratification or abuse.

39. Respondent's conduct as described in paragraphs 37 and 38 constitutes a violation of Idaho Code § 54-3407(5), IDAPA 24.15.01.350, and the following ethical provisions:

a. ACA Provision A.1.a, the primary responsibility of counselors is to respect the dignity and to promote the welfare of clients;

b. ACA Provision A.1.b, counselors encourage client growth and development in ways that foster the client's interest and welfare; counselors avoid fostering dependent counseling relationships;

c. ACA Provision A.5.a, counselors are aware of the intimacy and responsibilities inherent in the counseling relationship, maintain respect for clients, and avoid actions that seek to meet their personal needs at the expense of clients;

d. ACA Provision A.6.a, counselors are aware of their influential positions with respect to clients, and they avoid exploiting the trust and dependency of clients;

e. ACA Provision A.7.a, counselors do not have any type of sexual intimacies with clients;

f. ACA Provision C.5.e, counselors do not use their professional positions to seek or receive unjustified personal gains, sexual favors, unfair advantage, or unearned goods or services.

40. Respondent, in lieu of proceeding with a formal disciplinary action to adjudicate the allegations as set forth above, hereby agrees to the imposition of discipline against his license as set forth in Section C below.

B.

I, William J. McKeeth, by affixing my signature hereto, acknowledge that:

1. I have read and understand the allegations pending before the Board, as stated above in section A. By affixing my signature hereto, I make no admissions. However, I understand that these allegations, if proven, constitute cause for disciplinary action upon my license to practice professional counseling in the State of Idaho.

2. I understand that I have the right to a full and complete hearing; the right to confront and cross-examine witnesses; the right to present evidence or to call witnesses, or to so testify myself; the right to reconsideration; the right to appeal; and all rights accorded by the Administrative Procedure Act of the State of Idaho and the laws and rules governing the practice of professional counseling in the State of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this Stipulation as a resolution of the pending allegations.

3. I understand that in signing this consent order I am enabling the Board to impose disciplinary action upon my license without further process.

C.

Based upon the foregoing stipulation, it is agreed that the Board may issue a decision and order upon this stipulation whereby:

1. License No. LPCP-212 issued to Respondent William J. McKeeth is hereby suspended for a period of five (5) years from the date of entry of the Board's Order. During the 5-year suspension period, Respondent shall not practice professional counseling in the State of Idaho.

2. Respondent shall pay to the Board an administrative fine in the amount of Three Thousand and No/100 Dollars ($3,000.00), with One Thousand Five Hundred and No/100 Dollars ($1,500.00) of said administrative fine stayed. The stay is conditioned upon Respondent's compliance with all of the terms of this Stipulation.

3. Respondent shall pay investigative costs and attorney fees in the amount of Two Thousand Six Hundred Four and No/100 Dollars ($2,604.00) within one (1) year of the entry of the Board's Order.

4. The total of the costs, fees, and administrative fine is $4,104.00. Respondent shall make monthly payments to the Board for the payment of the administrative fine and investigative costs and attorney fees in twelve (12) equal installments of Three Hundred Forty-two and No/100 Dollars ($342.00) each, made payable to the Idaho Counselor Licensing Board via certified check or money order. The first installment shall be due and payable to the Board within thirty (30) days of the date of entry of the Board's Order. The remaining eleven (11) installments shall be postmarked no later than the 15th day of each calendar month thereafter.

5. At the conclusion of the 5-year suspension period, Respondent will be eligible to apply to the Board for reinstatement of his license provided Respondent has completed the following conditions and can prove completion of the same:

a. Respondent shall satisfactorily complete of a minimum of fifteen (15) semester hours (or the equivalent quarter hours) of graduate-level coursework covering the following subject matters:

i. Ethics, recordkeeping, and boundaries between the counselor and clients; and

ii. Interpersonal relationships in counseling, transference, the dynamics between client and counselor, and issues of power and influence that the counselor inherently has over clients.

b. Respondent must receive prior approval by the Board as to both the institution and coursework for which he is seeking credit. After completion of the coursework, Respondent will provide certified transcripts to the Board.

c. Respondent shall undergo individual counseling by a licensed mental health care provider at his own expense, which therapy shall address the circumstances giving rise to the allegations pending before the Board. A copy of this Stipulation shall be provided by Respondent to the licensed mental health care provider prior to treatment. Prior to beginning the counseling, the Board must approve the proposed mental health care provider and the proposed treatment plan. During the course of counseling, the Board must receive quarterly progress reports from the mental health care provider. Upon completion of all recommended treatment, the licensed mental health care provider shall prepare a thorough assessment of Respondent's course of treatment, prognosis, and also provide an opinion as to whether Respondent is able to function independently and/or safely as a professional counselor in public or private practice. Such assessment shall be forwarded to the Board for its review in consideration of any request for reinstatement. If the treating mental health care provider is of the opinion that Respondent is unable to function independently and/or safely as a counselor in public or private practice, he shall be barred from practice.

d. Respondent shall execute a release of information allowing the Board to obtain access to any information it deems relevant to effectuating the terms of this order.

6. Upon a showing of satisfactory completion of the requirements of Section C(2), (3), (4) and (5) above, Respondent's license may be reinstated by the Board on a probationary basis. In addition to any other terms of probation established by the Board, Respondent must begin and satisfactorily complete a two (2) year program of supervision as a counseling intern. Both the supervisor and the site of the supervised practice must receive preapproval by the Board. Successful completion of this 2-year program of supervised practice will be a prerequisite to reinstatement of Respondent's license without restriction.

7. As part of its discretionary authority in Respondent's reinstatement process, the Board may take into consideration any criminal judgments of conviction entered against Respondent after the date of Respondent's execution of this Stipulation, including any withheld judgments and/or terms of probation.

8. In the event Respondent should leave Idaho to reside or to practice outside of the state, Respondent must provide written notification to the Board of the dates of departure, address of intended residence or place of business, and indicate whether Respondent intends to return. Periods of residency or practice outside of Idaho will not apply to the reduction of the suspension period or excuse compliance with the terms of this Stipulation.

9. Respondent shall fully cooperate with the Board and its agents, and submit any documents or other information within a reasonable time after a request is made for such documents or information.

10. Respondent shall make all files, records, correspondence or other documents available immediately upon the demand of any member of the Board's staff or its agents.

11. All costs associated with compliance with the terms of this Stipulation are the sole responsibility of Respondent.

12. The violation of any of the terms of this Stipulation by Respondent will warrant further Board action. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation.

D.

1. It is hereby agreed between the parties that this Stipulation shall be presented to the Board with a recommendation for approval from the Deputy Attorney General responsible for prosecution before the Board at the next regularly scheduled meeting of the Board.

2. Respondent understands that the Board is free to accept, modify with Respondent's approval, or reject this Stipulation, and if rejected by the Board, a formal disciplinary hearing may proceed against Respondent. Respondent hereby agrees to waive any right Respondent may have to challenge the impartiality of the Board to hear the disciplinary complaint if, after review by the Board, this Stipulation is rejected.

3. If the Stipulation is not accepted by the Board, it shall be regarded as null and void. Admissions by Respondent in the Stipulation will not be regarded as evidence against Respondent at the subsequent disciplinary hearing.

4. The Consent Order shall not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.

5. Any failure on the part of Respondent to timely and completely comply with any term or condition herein shall be deemed a default.

6. Any default of this Stipulation and Consent Order shall be considered a violation of Idaho Code § 54-3407. If Respondent violates or fails to comply with this Stipulation and Consent Order, the Board may impose additional discipline pursuant to the following procedure:

a. The Chief of the Bureau of Occupational Licenses shall schedule a hearing before the Board. Within twenty-one (21) days after the notice of hearing and charges is served, Respondent shall submit a response to the allegations. If Respondent does not submit a timely response to the Board, the allegations will be deemed admitted.

b. At the hearing before the Board upon default, the Board and Respondent may submit affidavits made on personal knowledge and argument based upon the record in support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Consent Order. Respondent waives a hearing before the Board on the facts and substantive matters related to the violations described in Section A, and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, which may include conditions or limitations upon Respondent's practice or suspension or revocation of Respondent's license.

7. The Board shall have the right to make full disclosure of this Stipulation and Consent Order and the underlying facts relating hereto to any state, agency or individual requesting information subject to any applicable provisions of the Idaho Public Records Act, Idaho Code §§ 9-337-50.

8. This Stipulation and Consent Order contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

> I have read the above stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I will be waiving certain rights accorded me under Idaho law. I understand that the Board may either approve this stipulation as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as proposed, the Board will issue an Order on this stipulation according to the

aforementioned terms, and I hereby agree to the above stipulation for settlement. I understand that if the Board approves this stipulation subject to changes, and the changes are acceptable to me, the stipulation will take effect and an order modifying the terms of the stipulation will be issued. If the changes are unacceptable to me or the Board rejects this stipulation, it will be of no effect.

DATED this 19 day of November, 1999.

William J. McKeeth
Respondent

Approved as to form.

DATED this 19th day of November, 1999.

NEVIN, HERZFELD, BENJAMIN & MCKAY

By
Dennis A. Benjamin
Of Attorneys for Respondent

I concur in this stipulation and order.

DATED this 22nd day of December, 1999.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By
for Kirsten L. Wallace
Deputy Attorney General

ORDER

Pursuant to Idaho Code § 54-3404, the foregoing is adopted as the decision of the Idaho State Counselor Licensing Board in this matter and shall be effective on the 10TH day of JANUARY, ~~1999~~ 2000. **IT IS SO ORDERED.**

R.A.C.

IDAHO STATE COUNSELOR
LICENSING BOARD

By Richard A. Craig
Richard ~~Craig~~, Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of JANUARY, 2000, I caused to be served a true and correct copy of the foregoing by placing a copy thereof in the United States Mail, postage prepaid, addressed to:

William J. McKeeth
5565 Aluet Place
Boise, ID 83709

Dennis A. Benjamin
NEVIN, HERZFELD, BENJAMIN & MCKAY
P.O. Box 2772
Boise, ID 83701

Kirsten L. Wallace
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

Thomas E. Limbaugh
Thomas Limbaugh, Chief
Bureau of Occupational Licenses