

**CONSENT AGREEMENT
BETWEEN
JOHN M. POTTER
AND THE
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD**

2013 JUN 26 A 11: 37

This CONSENT AGREEMENT is entered into by and between JOHN M. POTTER, hereinafter, "POTTER" and the STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST BOARD, hereinafter "BOARD," the state agency charged with enforcing Chapter 4757 of the Ohio Revised Code and all rules promulgated therein.

POTTER hereby acknowledges that he has read and understands this CONSENT AGREEMENT and has voluntarily entered into it without threat or promise by the BOARD or any of its members, employees or agents.

POTTER is fully aware of his rights, including his right to be advised by counsel and his right to a hearing pursuant to Chapter 119 of the Ohio Revised Code on the issues which are the subject of this CONSENT AGREEMENT

This CONSENT AGREEMENT contains the entire agreement between the parties, based on the Board's investigation, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this CONSENT AGREEMENT.

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

1. POTTER is a professional counselor with the supervision designation (C.0005856-Supv) licensed to practice counseling in the State of Ohio, and is subject to the laws and rules of Ohio regulating the practice of counseling as outlined in Ohio Revised Code Chapter 4757 and Ohio Administrative Code Chapter 4757. POTTER received his professional counselor license on March 20, 1998.
2. Between about 2006 and March 2013, while employed as the director of a counseling center, POTTER failed to take reasonable steps to ensure that documentation is accurate and sufficient to ensure continuity of care for clients. POTTER'S actions constitute a violation of Ohio Revised Code Section 4757.36(C)(1) and Ohio Administrative Code Sections 4757-5-09(A), (B), and (C).
3. POTTER admits the allegations referenced in paragraph 2 above.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any other formal disciplinary proceedings, POTTER knowingly and voluntarily agrees with the BOARD to the following terms and conditions:

1. **POTTER** may not renew his supervision designation.
2. **POTTER** may not be in private practice or act as an agency director for two (2) years beginning July 20, 2013
3. **POTTER** must receive personal counseling from a **BOARD** pre-approved mental health practitioner for a period of ten (10) months. All costs associated with this counseling are at **POTTER'S** expense. **POTTER** must submit the name, contact information, and professional resume or vitae to the **BOARD'S** Deputy Director no later than August 1, 2013, to obtain pre-approval. Once approved, the practitioner will provide the **BOARD** with reports every other month detailing issues discussed in counseling, professional ethics, and other issues the practitioner deems appropriate that may have led **POTTER** to violate the Board's law and rules. At the end of the mandated counseling period, the practitioner shall provide the **BOARD** with a report encompassing the overall counseling period. It is **POTTER'S** responsibility to ensure the Board obtains the reports in a timely manner. **POTTER** must receive personal counseling a minimum of twice a month.

It is hereby agreed by and between both parties that this CONSENT AGREEMENT hereby settles all issues concerning this matter.

By his signature on this CONSENT AGREEMENT, **POTTER** acknowledges that in the event the **BOARD**, in its discretion, does not approve this CONSENT AGREEMENT, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **POTTER** agrees that should the **BOARD** reject this CONSENT AGREEMENT and if this case proceeds to hearing, he will assert no claim that the **BOARD** was prejudiced by its review and discussion of this CONSENT AGREEMENT or of any information relating thereto.

POTTER hereby releases the members of the **BOARD**, its officers and employees, jointly and severally, from any and all liability arising from the matter within.

This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43 of the Ohio Revised Code. Pursuant to 42 USC Section 132a-73(b), 5 USC Section 552a, 45 CFR part 61, and Ohio Revised Code 3123.41 et seq., the **BOARD** may be required to provide **POTTER'S** social security number to requesting governmental agencies.

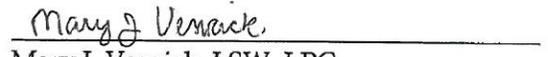
The **BOARD** shall incorporate this CONSENT AGREEMENT into a formal journal entry at its _____ July _____, 2013, meeting.

Consent Agreement between John M. Potter and the State of Ohio Counselor, Social Worker, Marriage and Family
Therapist Board

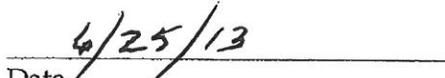
This CONSENT AGREEMENT shall take effect upon the date of the Board Chair's
signature below:



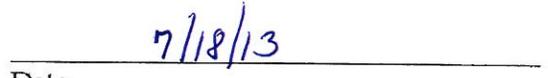
John M. Potter, LPC



Mary J. Venrick, LSW, LPC
Chair, Counselor, Social Worker, Marriage and
Family Therapist Board



Date



Date