



Counselor, Social Worker & Marriage and Family Therapist Board

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ADJUDICATION ORDER in the Matter of:

Jaclyn M. Picone
3260 Perrydale Street, NW
Uniontown, OH 44685

IN THE MATTER OF JACLYN M. PICONE TO PRACTICE AS A LICENSED PROFESSIONAL COUNSELOR IN THE STATE OF OHIO.

THE MATTER OF JACLYN M. PICONE CAME BEFORE THE FOLLOWING MEMBERS OF THE COUNSELOR PROFESSIONAL STANDARDS COMMITTEE OF THE OHIO COUNSELOR, SOCIAL WORKER, AND MARRIAGE AND FAMILY THERAPIST BOARD ON MAY 15, 2014: DR. TERRI HAMM, DR. CHRISTIN JUNGERS, DR. OTHA GILYARD AND MARY VENRICK.

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Jaclyn M. Picone by the Counselor Professional Standards Committee on March 21, 2014.

Pursuant to R.C. 119.07 licensees are entitled to a hearing before the Board if such a hearing is requested within thirty days of the mailing of the Notice of Opportunity for Hearing. In this case, Ms. Picone failed to make a timely request for such a hearing, therefore pursuant to *Goldman v. State Medical Board* (March 29, 1996) Franklin County Court of Appeals, 95 APE 10-1358 the case was presented to the Counselor Professional Standards Committee on May 15, 2014.

Summary of Evidence

State's Exhibits

1. Affidavit prepared by William L. Hegarty, Deputy Director, State of Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.

2. Notice of Opportunity for Hearing to Ms. Picone dated March 21, 2014.
3. Scheduling letter to Ms. Picone dated February 4, 2014, sent by the Board to Ms. Picone's address of record.

Conclusions of Law

Ohio Revised Code Section 4757.36(C)(1) provides that the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board may take disciplinary action against a licensee who has committed a violation of any provision of the Board's law and rules.

Discussion and Findings

As required in the case of *Goldman v. State Medical Board* (March 29, 1996) Franklin County Court of Appeals 95APE10-1358, all cases where a Board issues a Notice for Opportunity for Hearing and the individual does not request a hearing, the Board still must review evidence presented to it and make specific findings of fact. In this case, Jaclyn M. Picone did not request a hearing after receipt of her Notice for Opportunity for Hearing.

The Counselor Professional Standards Committee has reviewed the evidence prepared in this case. The Committee finds that in November 2013, Jaclyn M. Picone, failed to provide her clients with reasonable notification and appropriate referral for continued services when she left her employment in violation of OAC 4757-5-02(E). The Committee also found that Ms. Picone failed to complete required client documentation to facilitate continuity of services for her clients before she left the agency's employment in violation of OAC 4757-5-09(B) and (C). The Committee further finds that Ms. Picone failed to cooperate into an investigation of her license in February 2014 in violation of OAC 4757-11-01(C)(18). Based on this, the Committee orders that Ms. Picone's license to practice as a professional counselor (C.1000434) is **REVOKED**. As Ordered by the Counselor Professional Standards Committee of the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.

It is hereby certified by this Board that the above language is incorporated into the Board's journal in this matter.

APPEAL RIGHTS

Ohio Revised Code Section 119.12 may authorize an appeal from this Order. Such an appeal must be commenced by the filing of a Notice of Appeal with the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board and in the court of common pleas of the county in which the licensee is a resident. If the party appealing from the order is not a resident of any County, the party may appeal to the court of common pleas of Franklin County. The Notice of Appeal must set forth the order appealed from and

state that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with the law. The Notice of Appeal may, but need not, set forth the specific grounds of the party's appeal beyond the statement that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. Both Notices of Appeal must be received at the office of the Board and filed with the applicable court within fifteen (15) days after mailing of this notice of the agency's order, and in accordance with the provisions of Ohio Revised Code Chapter 119.12.

By Order of the State of Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.



James R. Rough
Executive Director

May 16, 2014
Date

Certified Mail Receipt #7005 3110 0002 4899 7576 and by certificate of mailing –
5/16/14