

MR. BERGEN MADE A RECOMMENDATION AND DIAGNOSIS TO A COURT APPOINTED GUARDIAN AD LITEM CONCERNING SOMEONE WHO WAS NOT HIS CLIENT IN AUGUST, 2007. MR. BERGEN'S ACTIONS CONSTITUTE A VIOLATION OF O.R.C. 4757.36 (A) (1). THE SUSPENSION PER CONSENT AGREEMENT, IS COMPLETE AS OF 06/09/2010.

**CONSENT AGREEMENT
BETWEEN
CECIL BERGEN
AND THE**

**STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD**

2008 JAN 29 P 12:02

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This CONSENT AGREEMENT is entered into by and between **CECIL BERGEN** hereinafter, "**BERGEN**" 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.

BERGEN 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.

BERGEN 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. Should **BERGEN** fail to comply with any provisions of this CONSENT AGREEMENT, **BERGEN** knowingly waives his rights under ORC Chapter 119.

This CONSENT AGREEMENT contains the entire agreement between the parties, 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 and, understandings:

1. **BERGEN** is a professional clinical counselor (E-0000716 Sup) licensed to practice counseling in the State of Ohio, and is subject to the laws and rules of Ohio regulating the practices of counseling as outlined in Ohio Revised Code Chapter 4757 and Ohio Administrative Code Chapter 4757. **BERGEN** received his professional clinical counselor license on December 10, 1988.
2. **BERGEN** made a recommendation and diagnosis to a court appointed Guardian Ad Litem concerning someone who was not his client in August, 2007. **BERGEN'S** actions constitute a violation of O.R.C. 4757.36(A) (1) and O.A.C. 4757-5-02(B) (9).
3. **BERGEN** admits the allegation referenced in paragraph 2.

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

1. **BERGEN** must work under supervision for two (2) years with a minimum of one hour of face-to-face supervision per week or two hours of face-to-face supervision, two times per month, beginning on the date that the supervisor is approved. The supervisor must be pre-approved by the Board Deputy Director or his designee. The supervisor must submit quarterly reports regarding the supervision. Supervision should focus on, but not be limited to, areas of concern, areas for improvement, record keeping practices, and ethical decision making. Quarters consist of the following dates: Jan.-Mar, Apr.-Jun., Jul.-Sept., and Oct.-Dec. **In order to meet the requirements of this agreement the reports must be received for each quarter. If BERGEN'S supervisor is concerned with BERGEN'S practice at any time the Board should be notified immediately. BERGEN is responsible for the submission of the reports to the Board. All cost associated with the supervision is the responsibility of BERGEN. Once BERGEN successfully completes this supervision, BERGEN must ensure verification of completion is sent to the attention of the Investigation Unit at the Board office**
2. **BERGEN** must take 6 additional continuing education hours in ethics. The continuing education must be pre-approved by the Board's Deputy Director or his designee. Once **BERGEN** successfully completes the continuing education, **BERGEN** must send verification directly to the attention of the Investigation Unit at the Board office. The proof of completion is due in the Board office no later than September 20, 2008. The hours may not be used toward the thirty (30) hours of continuing education required for license renewal. All cost associated with the continuing education is at the expense of **BERGEN**.

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**, **BERGEN** 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. **BERGEN** 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.

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

Consent Agreement between Cecil Bergen and the State of Ohio Counselor, Social Worker, Marriage and Family
Therapist Board

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 **BERGEN'S** social security number to requesting governmental agencies.

The **BOARD** shall incorporate this CONSENT AGREEMENT into a formal journal entry at its March, 2008, meeting.

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


Cecil Bergen, PCC

1/28/08
Date


Kenneth E. Trivison, IMFT, PCC
Chair, Counselor, Social Worker, Marriage and
Family Therapist Board

3/20/08
Date


Peter R. Casey IV, Esq.
Assistant Attorney General
Counselor, Social Worker, Marriage and Family Therapist Board

3/21/08
Date