

**CONSENT AGREEMENT
BETWEEN
MARK SCHWEIKERT
AND THE
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD**

This CONSENT AGREEMENT is entered into by and between MARK SCHWEIKERT, hereinafter, "SCHWEIKERT," 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.

SCHWEIKERT 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.

SCHWEIKERT 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 that are the subject of this CONSENT AGREEMENT. Should SCHWEIKERT fail to comply with any provisions of this CONSENT AGREEMENT, SCHWEIKERT 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, admissions and understandings:

1. SCHWEIKERT is a professional clinical counselor (E-3687) 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. SCHWEIKERT received his professional clinical counselor license on January 18, 2002.
2. On or about March 29, 2004, South Community Behavioral Healthcare, Dayton, Ohio, audited SCHWEIKERT'S charts and discovered forged signatures of client and staff. On or about April 1, 2004, SCHWEIKERT met with Lisa Carter, Director of Child and Family Services. SCHWEIKERT admitted to Ms. Carter that he had forged the signatures stating, he felt "under pressure" and that this was a "pattern developed over time." Falsification of client records is a violation of Ohio Revised Code Section 4757.36(A)(1) and Ohio Administrative Code Section 4757-5-01(I)(1).

3. **SCHWEIKERT ADMITS** the allegations referenced in paragraph 2 referenced above.

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

1. **SCHWEIKERT'S** license to practice counseling (E-3687) is **SUSPENDED** for twelve (12) months beginning October 1, 2004, through September 30, 2005.
2. After **SCHWEIKERT** serves his suspension and returns to work as a counselor, he must receive face-to face supervision, by an individual pre-approved by the **BOARD**, one-hour every week for a period of 2 years. **SCHWEIKERT** should not select a supervisor with which he has a prior relationship. If any previous relationship with the supervisor exists, **SCHWEIKERT** must provide full disclosure of such a relationship in the request for supervisor approval. The 2-year supervision period will not begin until **SCHWEIKERT'S** supervisor is approved. Supervision should focus on, but is not limited to, **SCHWEIKERT'S** role in professional relationships, ethical decision-making, and proper record keeping. **SCHWEIKERT'S** supervisor is required to submit a report to the **BOARD**, quarterly, detailing topics discussed during supervision sessions, areas of concern, and areas for improvement. At the end of the 2-year supervised period, **SCHWEIKERT'S** supervisor will make a final report encompassing the 2 years of supervision. If **SCHWEIKERT'S** supervisor is concerned with **SCHWEIKERT'S** practice at any time the **BOARD** should be notified immediately. It is **SCHWEIKERT'S** responsibility to ensure that the **BOARD** receives the supervisor's reports. All costs associated with the supervision are at the expense of **SCHWEIKERT**.
3. **SCHWEIKERT** must take and pass a graduate level ethics course. The course must be taken for credit, part of a counseling program from an accredited university, and pre-approved by the **BOARD**. Once **SCHWEIKERT** successfully completes this course, **SCHWEIKERT** must ensure official transcripts are sent directly from the university to the attention of the Investigation Unit at the **BOARD** office. The transcript verifying completion is due in the **BOARD** office no later than January 31, 2006. The credit earned from the course may not be used toward the thirty (30) hours of continuing education required for license renewal. All costs associated with the course are at the expense of **SCHWEIKERT**.

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, SCHWEIKERT 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. SCHWEIKERT 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.

SCHWEIKERT 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 SCHWEIKERT'S social security number to requesting governmental agencies.

The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its September 17, 2004, meeting.

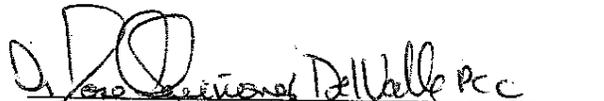
This CONSENT AGREEMENT shall take effect upon the date of the Board Chair's signature below:



Mark Schweikert, PCC

8-28-04

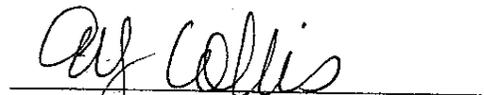
Date



Rose Quinones-DelValle, PCC
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

9-17-04

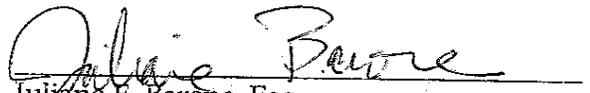
Date



Elizabeth Y. Collis, Esq.
Counsel for Mr. Schweikert

8/31/04

Date



Julianne E. Barone, Esq.
Assistant Attorney General
Counselor, Social Worker, Marriage and Family Therapist Board

9-17-04

Date