

As of 10/5/2015
Thomas A. Russell
has met the terms
of his consent
agreement

2015 AUG -7 A 10: 13

**CONSENT AGREEMENT
BETWEEN
THOMAS A. RUSSELL
AND THE
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD**

This CONSENT AGREEMENT is entered into by and between THOMAS A. RUSSELL, hereinafter, "RUSSELL," 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.

RUSSELL 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.

RUSSELL 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. RUSSELL is a licensed professional clinical counselor (E.0003714) 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. RUSSELL received his professional clinical counselor license on March 22, 2002.
2. In about February - March 2015, RUSSELL while working at a mental health practice in Mansfield, Ohio blurred his professional boundaries by touching a client. The touching, while meant to be supportive, was not professionally necessary, and upset the client. RUSSELL'S actions constitute a violation of ORC 4757.36(C)(1) and OAC 4757-5-02(H)(1).
3. In between about November 2014 and April 2015, RUSSELL while working at a mental health practice in Mansfield, Ohio with a client did not take reasonable steps to ensure that the documentation in the client file was accurate in that an Individual Service Plan (ISP) was not completed after intake and the ISP dated July 2, 2015, was not signed

by the client. RUSSELL'S actions constitute a violation of ORC 4757.36(C)(1) and OAC 4757-5-09(B).

4. RUSSELL admits the statements referenced in paragraphs 2 and 3 referenced above.

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

1. RUSSELL'S professional clinical counselor license (E.0003714) is Reprimanded.

2. RUSSELL must take, at his expense, the on-line continuing education course entitled "Ethical Documentation in Clinical Practice" offered by Heisel and Associates, www.heiselandassoc.com/home-studies RUSSELL will have until January 31, 2016, to complete this requirement. The hours earned from this training may not be used to renew his LPCC in the future. Upon completion of this requirement, RUSSELL will provide the Board with a certificate of completion. RUSSELL may take a different course of a similar nature in lieu of this stated course but this would have to be pre-approved in writing in advance by the Board's investigation department.

3. RUSSELL must take, at his expense, the on-line continuing education course entitled "Ethics and Risk Management" offered by Heisel and Associates, www.heiselandassoc.com/home-studies RUSSELL will have until January 31, 2016, to complete this requirement. The hours earned from this training may not be used to renew his LPCC in the future. Upon completion of this requirement, RUSSELL will provide the Board with a certificate of completion. RUSSELL may take a different course of a similar nature in lieu of this stated course but this would have to be pre-approved in writing in advance by the Board's investigation department.

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, RUSSELL 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. RUSSELL 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.

RUSSELL 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. All parties to this Consent Agreement

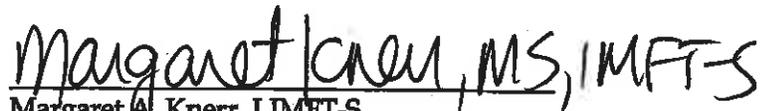
Consent Agreement between Thomas A. Russell and the State of Ohio Counselor, Social Worker, Marriage and Family Therapist Board

understand that this information will be sent to the United States Department of Health and Human Services' National Practitioner Data Bank (NPDB), pursuant to Title IV of Public Law 99-660, the Healthcare Quality Improvement Act of 1986, as amended; Section 1921 of the Social Security Act; and Section 1128E of the Social Security Act, as amended by Section 221(a) of the Health Insurance Portability and Accountability Act of 1996. The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its September 2015, meeting.

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


Thomas A. Russell, LPCC

8/2/15
Date


Margaret A. Knerr, LIMFT-S
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

9/25/15
Date