

2011 FEB 16 P 1:51
**CONSENT AGREEMENT
BETWEEN
ARTHUR VARIE
AND THE
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD**

This CONSENT AGREEMENT is entered into by and between ARTHUR VARIE, hereinafter, "VARIE," 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.

VARIE 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.

VARIE 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. VARIE is a professional clinical counselor (E-0008137) 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. VARIE received his professional clinical counselor license on March 17, 2006.
2. On or about December 1, 2010, VARIE was convicted in the Columbiana Court of Common Pleas of two (2) counts of the Illegal Use of Minor in Nudity-Oriented Material or Performance, fifth degree felonies, in violation Ohio Revised Code Section 2907.323(A)(3). VARIE'S receiving two felony degrees constitute a violation of Ohio Revised Code Section 4757.36(A)(5).
3. VARIE admits the statements referenced in paragraphs 1 and 2 referenced above.

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

1. The **BOARD** will allow **VARIE** to permanently surrender his professional clinical counselor license, with the understanding the surrender is in lieu of potential disciplinary action. **VARIE** will not be allowed to reapply for a counselor license in the State of Ohio, nor will he be allowed to apply for social work or marriage and family therapist license in the State of Ohio. This surrender will take effect March 18, 2011.

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**, **VARIE** 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. **VARIE** 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.

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

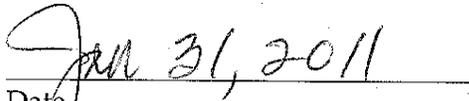
The **BOARD** shall incorporate this **CONSENT AGREEMENT** into a formal journal entry at its March 2011, meeting.

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

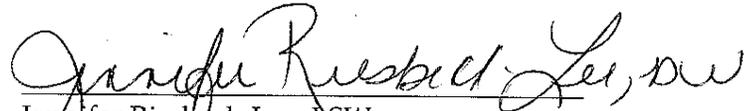
This CONSENT AGREEMENT shall take effect upon the date of the Board Chair's
signature below:



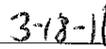
Arthur Varie



Date



Jennifer Riesbeck-Lee, DSW
Chair, Counselor, Social Worker, Marriage and
Family Therapist Board



Date



Leah V.B. O'Carroll, Esq.
Assistant Attorney General
Counselor, Social Worker, Marriage and Family
Therapist Board



Date