

Mr. Heatherly completed the terms of  
the consent agreement as of 5/21/2004

**AMENDED CONSENT AGREEMENT  
BETWEEN  
MICHAEL A. HEATHERLY  
AND  
THE STATE OF OHIO COUNSELOR & SOCIAL WORKER BOARD**

This AMENDED CONSENT AGREEMENT is entered into by and between MICHAEL A. HEATHERLY (hereinafter "MR. HEATHERLY") and the STATE OF OHIO COUNSELOR AND SOCIAL WORKER BOARD (hereinafter "the BOARD," the state agency charged with enforcing Chapter 4757 of the Ohio Revised Code, and all rules promulgated thereunder.

MR. HEATHERLY voluntarily enters into this AMENDED CONSENT AGREEMENT being 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 AMENDED CONSENT AGREEMENT.

This AMENDED 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 AMENDED CONSENT AGREEMENT.

This AMENDED CONSENT AGREEMENT is entered into on the basis of the following statements, admissions and understandings:

- A. On April 5, 1986, MR. HEATHERLY became licensed as a Licensed Independent Social Worker, license # 1926.
- B. On May 1, 1992, MR. HEATHERLY was convicted of a misdemeanor "Distribution of Obscene Matter Involving a Minor" in Covington, Kentucky, Case No. 92-M-01436, a violation of K.R.S. 531.340 (1) (A).
- C. Such acts constitute a failure to maintain the integrity of the profession of social work in that such conduct does not uphold and advance the values, ethics, knowledge and mission of the profession.

Based on the above statements and understandings, the BOARD and MR. HEATHERLY agree as follows:

1. MR. HEATHERLY will not be involved in non-emergency room one-on-one therapy with adolescent female clients either in his private practice or public employment for a period of indefinite duration.
2. Edward I. Kohn, M.D. shall provide a report to the Board at the termination of MR. HEATHERLY's therapy. The report from Dr. Kohn should include his recommendation as to whether MR. HEATHERLY may treat adolescent female clients, and if so, under what conditions. Based on Dr. Kohn's report, this AMENDED CONSENT AGREEMENT shall remain in affect until which time the BOARD and MR. HEATHERLY agree to a final resolution of the issues cited in this AMENDED CONSENT AGREEMENT.
3. In exchange for the agreements of MR. HEATHERLY set forth in this AMENDED CONSENT AGREEMENT, the BOARD agrees it will not take formal disciplinary action surrounding the circumstances contained in Paragraphs B and C of this AMENDED CONSENT AGREEMENT, unless the terms of this AMENDED CONSENT AGREEMENT are not complied with or are violated.
4. MR. HEATHERLY agrees to take no legal action against the BOARD or its members, staff or representatives regarding the circumstances leading up to and resulting in this AMENDED CONSENT AGREEMENT.

In the event the BOARD, in its discretion, does not approve this AMENDED 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.

This AMENDED CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code.

This AMENDED CONSENT AGREEMENT is not an adjudication order within the meaning of Section 119.01 (D), Ohio Revised Code.

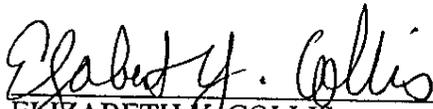
The BOARD shall incorporate this AMENDED CONSENT AGREEMENT into a formal Journal Entry at its next meeting after the time this agreement is executed by both parties.

This AMENDED CONSENT AGREEMENT shall become effective when it has been signed by the parties and their representatives, as indicated below.

STATE OF OHIO COUNSELOR  
AND SOCIAL WORKER BOARD

  
\_\_\_\_\_  
GLENN ABRAHAM  
Chair, State of Ohio  
Counselor and Social Worker Board

July 19, 1996  
DATE

  
\_\_\_\_\_  
ELIZABETH Y. COLLIS  
Assistant Attorney General  
Counselor and Social Worker Board

7/23/96  
DATE

  
\_\_\_\_\_  
MICHAEL A. HEATHERLY

7/10/96  
DATE

  
\_\_\_\_\_  
Attorney for Michael A. Heatherly

7/10/96  
DATE

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**CONSENT AGREEMENT  
BETWEEN  
MICHAEL A. HEATHERLY  
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THE STATE OF OHIO COUNSELOR & SOCIAL WORKER BOARD**

This CONSENT AGREEMENT is entered into by and between MICHAEL A. HEATHERLY (hereinafter "MR. HEATHERLY") and the STATE OF OHIO COUNSELOR AND SOCIAL WORKER BOARD (hereinafter "the BOARD"), the state agency charged with enforcing Chapter 4757 of the Ohio Revised Code, and all rules promulgated thereunder.

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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 statements, admissions and understandings:

- A. On April 5, 1986, MR. HEATHERLY became licensed as a Licensed Independent Social Worker, license #I926.
- B. On May 1, 1992, MR. HEATHERLY was convicted of a misdemeanor, "Distribution of Obscene Matter Involving a Minor" in Covington, Kentucky, Case No. 92-M-01436, a violation of K.R.S. 531.340(1)(A).
- C. Such acts constitute a failure to maintain the integrity of the profession of social work in that such conduct does not uphold and advance the values, ethics, knowledge and mission of the profession.

Based on the above statements and understandings, the BOARD and MR. HEATHERLY agree as follows:

- 1. The license of MR. HEATHERLY to practice as a Licensed Independent Social Worker in the State of Ohio shall be SUSPENDED for a period of twenty-four (24) months. Such suspension is stayed, subject to the following PROBATIONARY terms and limitations, for a period of twenty-four (24) months:

- a. MR. HEATHERLY will continue to undergo psychiatric counseling with Dr. Edward I. Kohn at least once per month, until such time as the BOARD determines that no further treatment is necessary.

To make this determination, the BOARD shall require quarterly progress reports from Dr. Kohn. MR. HEATHERLY shall ensure that these reports are forwarded to the BOARD on a quarterly basis, the first report being forwarded to the BOARD on or before June 15, 1993.

- b. MR. HEATHERLY will not be involved in non-emergency room one-on-one therapy with adolescent female clients either in his private practice or public employment for a period of indefinite duration.
  - c. MR. HEATHERLY will not be involved in the treatment of juveniles in his private practice for a period of twenty-four (24) months.
  - d. The BOARD shall require MR. HEATHERLY to submit quarterly progress reports from his supervisor(s) for a period of twenty-four (24) months, the first report being due on or before June 15, 1993.
  - e. MR. HEATHERLY will not be convicted of any further non-traffic violations of the law.
2. In exchange for the agreements of MR. HEATHERLY set forth in this CONSENT AGREEMENT, the BOARD agrees it will not take formal disciplinary action surrounding the circumstances contained in Paragraphs B and C of this CONSENT AGREEMENT, unless the terms of this CONSENT AGREEMENT are not complied with or are violated.
  3. MR. HEATHERLY agrees to take no legal action against the BOARD or its members, staff or representatives regarding the circumstances leading up to and resulting in this CONSENT AGREEMENT.

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.

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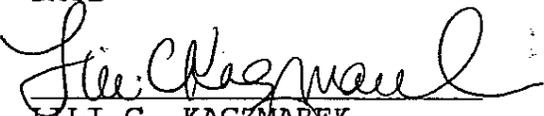
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STATE OF OHIO COUNSELOR  
AND SOCIAL WORKER BOARD

  
H. BRENNEMAN BLAINE  
Chair, State of Ohio  
Counselor and Social Worker  
Board

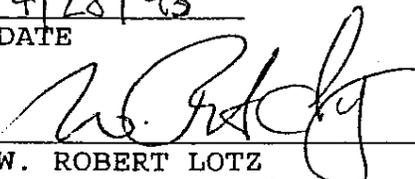
5/4/93  
DATE

  
LILI C. KACZMAREK  
Assistant Attorney General  
Counselor and Social Worker  
Board

5-4-93  
DATE

  
MICHAEL A. HEATHERLY

4/28/93  
DATE

  
W. ROBERT LOTZ  
Attorney for Michael A. Heatherly

4/28/93  
DATE