



COPY

**STATE OF OHIO  
COUNSELOR AND SOCIAL WORKER BOARD**

ADJUDICATION ORDER  
in the Matter of:

Marilyn M. Wagner  
PO Box 638  
Kalida, Ohio 45853-0638

IN THE MATTER OF MARILYN M. WAGNER TO BE LICENSED AS AN  
INDEPENDENT SOCIAL WORKER IN THE STATE OF OHIO.

**FINDINGS, ORDER, AND JOURNAL ENTRY**

On January 28, 1999, this matter came for consideration at a hearing before the Counselor and Social Worker Board, hereinafter "Board", based upon a Notice of Opportunity for Hearing that was mailed to Marilyn M. Wagner by the Board on May 28, 1998, June 30, 1998, July 24, 1998 and then published in the *Putnam County Sentinel* for three consecutive weeks beginning October 7, 1998. The members of the Board that were present during the hearing were Jane Daroff, Glenn Abraham, Robert L. Moore, Maggie Jackson, Chester Partyka, and Penny Wyman.

Pursuant to O.R.C. 119.07, a party is entitled to a hearing before the Board if such party requests a hearing within thirty (30) days of the mailing of the Notice of Opportunity for Hearing. In this case, Marilyn M. Wagner did not request a hearing in the matter. Therefore a hearing was held pursuant to *Goldman v. State Medical Board of Ohio* (1996), 110 Ohio App.3d 124, 673 N.E.2d 677. At this hearing the Board, by and through their Assistant Attorney General, Jonathan M. Bowman, presented evidence in support of the Notice of Opportunity for Hearing. Marilyn M. Wagner was not present.

**Testimony Heard at the Hearing of January 28, 1999**

1. Testimony of William L. Hegarty, Investigative Supervisor, for the Ohio Counselor and Social Worker Board.

## Exhibits Admitted

The Board admitted the following exhibits into evidence at the Hearing of January 28, 1999.

1. Notice of Opportunity for Hearing issued to Marilyn M. Wagner dated May 28, 1998.
2. Notice of Opportunity for Hearing issued to Marilyn M. Wagner dated June 30, 1998.
3. Notice of Opportunity for Hearing issued to Marilyn M. Wagner dated July 24, 1998.
4. Correspondence dated July 7, 1998, from Dr. Joetta Prost to the Ohio Counselor and Social Worker Board including a formal complaint form and attachments.
5. Correspondence to the Board from Dr. Joetta Prost concerning the investigation into Marilyn M. Wagner.
6. Correspondence to the Board from Dr. Joetta Prost concerning the investigation into Marilyn M. Wagner.
7. Letter provided by Sharron Underwood from Marilyn M. Wagner to Sharon Underwood.
8. Letter provided by Sharron Underwood from Marilyn M. Wagner to Sharon Underwood.
9. Summary of Interview with Terri Wenning, Counselor Trainee, taken October 27, 1997.
10. Summary of Interview with Marilyn M. Wagner taken September 22, 1997.
11. Summary of Phone Interview with Marilyn M. Wagner taken October 2, 1997.
12. Information from the *Putnam County Sentinel* showing the notice of Opportunity for Hearing was published for three consecutive weeks beginning October 7, 1998.
13. Letter dated October 20, 1998, from the Board to Marilyn M. Wagner regarding the publication of the Notice for Hearing in the *Putnam County Sentinel*.
14. Letter dated January 13, 1999, from the Board to Marilyn M. Wagner scheduling the January 28, 1999, hearing.

## Findings of Fact

Based upon the evidence listed above, the Board finds that:

Marilyn M. Wagner blurred her professional boundaries as a Licensed Independent Social Worker with her client, Sharron Underwood, by (1) allowing Ms. Underwood to live on property belonging to Ms. Wagner, (2) by sending correspondence to Ms. Underwood indicating the two were friends; and (3) engaging in a social relationship with Ms. Underwood by participating in prayer meetings on property belonging to Ms. Wagner.

## Conclusions of Law

Based upon the Findings of Fact which are based upon the evidence listed above, the Board hereby concludes that :

1. The conduct of Ms. Wagner as outlined in the Notice of Opportunity for Hearing constitutes a violation of Ohio Revised Code 4757.36(A), Former Ohio Revised Code Section 4757.13(A), Former Ohio Administrative Code Section 4757-21-01(B)(1) and the Code of Ethics of the National Association of Social Workers Section II(F)(4).

THEREFORE, it is hereby ORDERED that for the reasons outlined in this ORDER, the license of Marilyn M. Wagner (I-4255) to practice as a Social Worker in Ohio is REVOKED. This ORDER was approved by unanimous vote of the Members of the Board who reviewed this case.

Motion carried by order of the Counselor and Social Worker Board.

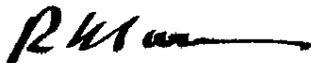
It is hereby certified by this Board that the above language is incorporated into the Board's journal in this matter.

## APPEAL RIGHTS

Pursuant to Section 119.12 of the Ohio Revised Code, you may appeal from this Order. Such an appeal may be taken to the court of common pleas in the county in which your place of business is located or to the court in the county in which you reside. If you do not have a place of business in Ohio and are not a resident of Ohio, you may appeal to the Court of Common Pleas in Franklin County, Ohio.

Such an appeal, setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State of Ohio Counselor and Social Worker Board and the appropriate Court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

By Order of the State of Ohio Counselor and Social Worker Board.



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Robert L. Moore  
Chairman