



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

ADJUDICATION ORDER
in the Matter of:

Paul M. Gerace
Orient Correctional Institution
PO Box 511
Columbus, Ohio 43216

IN THE MATTER OF PAUL M. GERACE TO PRACTICE AS AN INDEPENDENT
SOCIAL WORKER IN THE STATE OF OHIO.

THE MATTER OF PAUL M. GERACE CAME BEFORE THE FOLLOWING
MEMBERS OF THE COUNSELOR AND SOCIAL WORKER BOARD: GLENN
ABRAHAM, JANE A. DAROFF, COLLEEN GALLAGHER, MAGGIE JACKSON,
ROBERT MOORE, AND CHESTER PARTYKA. THE BOARD WAS REPRESENTED
BY ASSISTANT ATTORNEY GENERAL ELIZABETH Y. COLLIS.

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Paul M. Gerace by the Counselor and Social Worker Board on April 1, 1997.

Pursuant to R.C. 119.07 licensees are entitled to a hearing before the Board if such a hearing is requested within thirty days of the mailing of the Notice of Opportunity for Hearing. In this case, Paul M. Gerace failed to make a timely request for such a hearing, therefore pursuant to *Goldman v. State Medical Board* (March 29, 1996) Franklin County Court of Appeals, 95 APE 10-1358 a non-oral hearing was held before the Board on May 15, 1997. At this non-oral hearing the Board by and through their Assistant Attorney General Elizabeth Y. Collis presented evidence in support of the Notice of Opportunity for Hearing. Paul M. Gerace was not present.

Summary of Evidence

State's Exhibits

1. Notice of Opportunity for Hearing to Paul M. Gerace, dated April 1, 1997, and copies of Certified Mail Receipt P348928198 showing receipt by Mr. Gerace.
2. A scheduling letter from the Ohio Counselor and Social Worker Board scheduling a *Goldman* hearing on May 15, 1997, at the offices of the Ohio Counselor and Social

Worker Board and copy of Certified Mail Receipt P348814602 showing receipt by Mr. Gerace.

3. Copies of the journal entry and supporting documentation from the Cuyahoga County Court of Common Pleas dated May 1995 showing Mr. Gerace has been convicted of a five count felony conviction involving sexual imposition.

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

Findings of Fact

On or about May 18, 1995, Mr. Gerace pled guilty in the Cuyahoga County Court of Common Pleas to gross sexual imposition in violation of ORC Section 2907.05 which is a felony 3 in the State of Ohio. For this, Mr. Gerace was sentenced to be incarcerated in the Ohio Penal System.

Conclusions of Law

ORC Section 4757.36(A)(5) provides that the Ohio Counselor and Social Worker Board may take disciplinary action against a licensee who has been convicted of a felony.

Discussion

The Board prior to rendering its decision, reviewed all the exhibits and testimony that was presented by the State of Ohio. Mr. Gerace was convicted of a felony involving gross sexual imposition. Some of the victims were minor males that Mr. Gerace met as a result of his employment as an Independent Social Worker with the Berea Children's Home in Berea, Ohio. Other victims were minor males Mr. Gerace met as a result as his serving as a wrestling coach in the community. The sexual imposition involved the improper touching of the young males.

As required in the case of *Goldman v. State Medical Board* (March 29, 1996) Franklin County Court of Appeals 95APE10-1358, all cases where a Board issues a Notice for Opportunity for Hearing and the individual does not request a hearing, the Board still must review some evidence presented to it and make specific findings of fact. In this case, Mr. Gerace did not request a hearing after receipt of his Notice for Opportunity for Hearing.

THEREFORE, it is hereby ORDERED that for the reasons outlined in this ORDER, the license of Paul M. Gerace (I4561) is REVOKED. This ORDER was approved by unanimous vote of the Members of the Board who heard 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.



 Glenn Abraham
 Chair

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<p>SENDER:</p> <ul style="list-style-type: none"> • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered. <p>3. Article Addressed to: Paul M. Gerace, #30465Y Orient Correctional Institution PO Box 511 Columbus, OH 43216</p>	<p>I also wish to receive the following services (for an extra fee):</p> <p>1. <input type="checkbox"/> Addressee's Address</p> <p>2. <input type="checkbox"/> Restricted Delivery</p> <p>Consult postmaster for fee.</p>
<p>6. Signature (Agent) </p> <p>5. Signature (Addressee) </p>	<p>4a. Article Number P348 909 461</p> <p>4b. Service Type</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured</p> <p><input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD</p> <p><input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p>7. Date of Delivery</p>
<p>B. Addressee's Address (Only if requested and fee is paid)</p>	

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