

**CONSENT AGREEMENT
BETWEEN
SUSAN PEARCE
AND THE
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD**

This CONSENT AGREEMENT is entered into by and between SUSAN PEARCE, hereinafter, "PEARCE," and the STATE OF OHIO COUNSELOR, SOCIAL WORKER, AND 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.

PEARCE hereby acknowledges that she 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.

PEARCE is fully aware of her rights, including her right to be advised by counsel and her right to a hearing pursuant to Chapter 119 of the Ohio Revised Code on the issues which are the subject of this CONSENT AGREEMENT. Should PEARCE fail to comply with any provisions of this CONSENT AGREEMENT, PEARCE knowingly waives her rights under ORC Chapter 119.

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 stipulations, admissions and understandings:

1. PEARCE is an independent social worker (I-4897) licensed to practice social work in the State of Ohio, and is subject to the laws and rules of Ohio regulating the practice of social work as outlined in Ohio Revised Code Chapter 4757 and Ohio Administrative Code Chapter 4757. PEARCE received her independent social work license on November 16, 1991.
2. The BOARD received information against PEARCE and initiated an investigation under the provisions of Ohio Revised Code Section 4757.38. As a result of the investigation, on November 24, 2004, under the provisions of Ohio Administrative Code Section 4757-11-02, the BOARD ordered PEARCE to submit to a mental health examination.
3. On December 30, 2004, the BOARD received the results of PEARCE'S evaluation, which found that PEARCE'S current condition indicated an impairment of her ability to practice and function as a social worker.

4. Without admitting an impairment or a violation of any kind, PEARCE acknowledges the accuracy of the allegations referenced in paragraphs 2-3 above.

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

1. PEARCE'S independent social work license is suspended for a definite period of between three (3) and six (6) months, beginning May 20, 2005.
2. Before the BOARD will lift PEARCE'S suspension during this period, she must be re-evaluated at her expense by a BOARD approved mental health evaluator. PEARCE should submit the name and professional vitae of the evaluator she wants to conduct the mental health evaluation to the BOARD'S Deputy Director. The mental health provider should not have a previous personal or professional relationship with PEARCE. Once the BOARD receives the evaluation, it will promptly review the professional evaluation and make a determination whether to lift the suspension and allow PEARCE to practice as an independent social worker, not later than the next meeting of the BOARD that is seven (7) or more days following the receipt of the evaluation. Regardless of when the BOARD is able to make this determination, in no event will PEARCE'S suspension be shorter than three (3) months commencing May 20, 2005.

It is hereby agreed by and between both parties that this CONSENT AGREEMENT hereby settles all issues concerning this matter and that it represents a full and final release and compromise of all claims. The BOARD warrants and represents that, in the event the BOARD approves this CONSENT AGREEMENT, the BOARD will take all steps necessary to make the same a valid and official act of the STATE OF OHIO COUNSELOR, SOCIAL WORKER, AND MARRIAGE AND FAMILY THERAPIST BOARD, pursuant to law.

By her signature on this CONSENT AGREEMENT, PEARCE 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. PEARCE agrees that should the BOARD reject this CONSENT AGREEMENT and if this case proceeds to hearing, she will assert no claim that the BOARD was prejudiced by its review and discussion of this CONSENT AGREEMENT or of any information relating thereto.

PEARCE 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 PEARCE'S social security number to requesting governmental agencies.

The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its May 20, 2005, meeting.

This Consent Agreement will become effective on the date signed by the Chair of the Board.

Susan Pearce
Susan Pearce, LISW

5-13-5
Date

Rose Quinones DelValle Ph.D. PCC
Rose Quinones-DelValle, Ph.D., PCC
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

5-20-05
Date

Peter R. Casey IV, Esq.
Peter R. Casey IV, Esq.
Assistant Attorney General
Counselor, Social Worker, Marriage and Family Therapist Board

5-20-05
Date

CSWMFTB

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SUSAN PEARCE

AND THE

**STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD**

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PEARCE hereby acknowledges that she 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.

PEARCE is fully aware of her rights, including her right to be advised by counsel and her right to a hearing pursuant to Chapter 119 of the Ohio Revised Code on the issues which are the subject of this CONSENT AGREEMENT. Should **PEARCE** fail to comply with any provisions of this CONSENT AGREEMENT, **PEARCE** knowingly waives her rights under ORC Chapter 119.

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 stipulations, admissions and understandings:

1. **PEARCE** is an independent social worker (I-0004897) licensed to practice social work in the State of Ohio, and is subject to the laws and rules of Ohio regulating the practice of social work as outlined in Ohio Revised Code Chapter 4757 and Ohio Administrative Code Chapter 4757. **PEARCE** received her independent social work license on November 16, 1991.
2. In February 2008, **PEARCE** self-reported to the Board that she found a brief client assessment format in her files at her residence. **PEARCE** assumes she placed it in her files in approximately 2000. **PEARCE'S** actions in copying the document without authorization and for taking the document constitute a violation of the standard of care required of

independent social workers in the state of Ohio and is a violation of Ohio Revised Code Section 4757.36(A)(1) and Ohio Administrative Code Section 4757-5-02(A)(2)

3. **PEARCE** admits the allegation referenced in paragraph 2.

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

1. **PEARCE'S** social work license is indefinitely suspended for a minimum of six months beginning July 18, 2008. Before the suspension will be lifted, **PEARCE** must request from the **BOARD** approval to obtain a mental health examination. The mental health provider who will conduct the evaluation must be pre-approved in writing from the **BOARD** before the evaluation is performed. Any costs associated with the mental health evaluation are to be borne by **PEARCE**. The **BOARD** will review the mental health examination and make a determination whether to lift the suspension. Final authority to lift the suspension rests with the **BOARD**.

It is hereby agreed by and between both parties that this CONSENT AGREEMENT hereby settles all issues concerning this matter.

By her signature on this CONSENT AGREEMENT, **PEARCE** 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. **PEARCE** agrees that should the **BOARD** reject this CONSENT AGREEMENT and if this case proceeds to hearing, she will assert no claim that the **BOARD** was prejudiced by its review and discussion of this CONSENT AGREEMENT or of any information relating thereto.

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

The **BOARD** shall incorporate this CONSENT AGREEMENT into a formal journal entry at its July 18, 2008, meeting.

This Consent Agreement will become effective on the date signed by the Chair of the Board.

Susan Pearce
Susan Pearce, LISW

5-17-8
Date

Kenneth E. Trivison
Kenneth E. Trivison, IMFT, PCC
Chair, Counselor, Social Worker, Marriage and
Family Therapist Board

7/17/08
Date

P. R. Casey IV
Peter R. Casey, IV, Esq.
Assistant Attorney General
Counselor, Social Worker, Marriage and Family
Therapist Board

7/17/08
Date