

Consent Agreement between Andrea F. Stuck and the State of Ohio Counselor, Social Worker, Marriage and Family Therapist Board

**CONSENT AGREEMENT
BETWEEN
ANDREA F. STUCK
AND THE
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD**

This **CONSENT AGREEMENT** is entered into by and between **ANDREA F. STUCK**, hereinafter, "**STUCK**" 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.

STUCK 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. **STUCK** 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**.

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 and, understandings:

1. **STUCK** is an independent social worker (1-0007474- S) 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 Section 4757 and Ohio Administrative Code Chapter 4757. **STUCK** received her independent social worker license on May 17, 1996, and the supervision designation March 20, 2008.
2. The Board received information that while **STUCK** was employed at a private practice in Worthington, Ohio, **STUCK** violated professional boundaries with a client, beginning in July 2009 through November 2010. This action constitutes violations of O.R.C. 4757.36 (C) (1), O.A.C. 4757-5-04 (D).
3. **STUCK ADMITS** the allegations referenced in paragraphs 2.

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

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- 1. The BOARD will allow STUCK to retire from the practice of social work effective September 1, 2014, which retirement shall be listed as permanent license surrender, in lieu of other potential disciplinary action.

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, STUCK 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. STUCK 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.

STUCK 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. All parties to this Consent Agreement understand that this information will be sent to the United States Department of Health and Human Services' National Practitioner Data Bank (NPDB), pursuant to Title IV of Public Law 99-660, the Healthcare Quality Improvement Act of 1986, as amended; Section 1921 of the Social Security Act; and Section 1128E of the Social Security Act, as amended by Section 221(a) of the Health Insurance Portability and Accountability Act of 1996. The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its July 2014, meeting.

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

Andrea F. Stuck
Andrea F. Stuck, LISW-S

Mary J. Venrick LSW LPC
Mary J. Venrick, LSW, LPC
Chair, Counselor, Social Worker,
Marriage and Family Therapist Board

6/18/14
Date

7-18-14
Date

Glenn J. Kao, Esq.
Glenn J. Kao, Esq.
Attorney for Dr. Stuck

Yvonne Tertell
Yvonne Tertell, Esq.
Assistant Attorney General

6/18/14
Date

6/25/2014
Date

Consent Agreement between Andrea F. Stuck and the State of Ohio Counselor, Social Worker, Marriage and Family Therapist Board

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This CONSENT AGREEMENT is entered into by and between ANDREA F. STUCK, hereinafter, "STUCK," 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.

STUCK 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.

STUCK 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 STUCK fail to comply with any provisions of this CONSENT AGREEMENT, STUCK 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. STUCK is an independent social worker with the supervision designation (1.0007474-Supv) 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. STUCK received her independent social work license on May 17, 1996
2. From between September 2010 and September 2013, STUCK treated a client at STUCK'S private practice. Upon review of this client's case file, STUCK'S notes were not accurate or sufficient to reflect the services provided. STUCK'S actions constitute a violation of Ohio Revised Code Section 4757.36(C)(1) and Ohio Administrative Code Section 4757-5-09(B) and (C).
3. STUCK admits the statements referenced in paragraph 2.

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

1. STUCK may not renew her supervision designation.
2. STUCK must be monitored in all aspects of her practice of social work and receive face-to-face monitoring at the rate of one hour per every forty hours of work for a one (1) year period. STUCK'S monitor must be pre-approved by the BOARD, hold an independent level license and should not have a prior relationship with STUCKI. If a previous relationship exists, STUCK must provide full disclosure of such a relationship in the request for monitor approval. All cost associated with monitoring will be at STUCK'S expense. The request for monitor approval must be made in writing, include a copy of the monitor's vita and be submitted no later than April 1, 2014. Monitoring should focus on, but not be limited to, record keeping, ethical decision making, and standards of care. Monitoring should be considered training in nature and should not be limited to simply approving and denying case plans. STUCK'S monitor must submit quarterly reports to the BOARD for the entire time period detailing topics discussed during monitoring sessions, areas of concern, areas of improvement and make a recommendation with regards to STUCK'S suitability to practice. However, if STUCK'S monitor is concerned with STUCK'S practice at any time during the probationary period the BOARD should be notified immediately. It is STUCK'S responsibility to ensure that the BOARD receives all monitoring reports.

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, STUCK 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. STUCK 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.

STUCK 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. All parties to this Consent Agreement

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understand that this information will be sent to the United States Department of Health and Human Services' National Practitioner Data Bank (NPDB), pursuant to Title IV of Public Law 99-660, the Healthcare Quality Improvement Act of 1986, as amended; Section 1921 of the Social Security Act; and Section 1128E of the Social Security Act, as amended by Section 221(a) of the Health Insurance Portability and Accountability Act of 1996. The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its March 2014, meeting.

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

Andrea F. Stuck

Andrea F. Stuck, LISW

3, 12, 14
Date

Mary J. Venrick

Mary J. Venrick, LSW, LPC
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

3-21-14
Date

Glennon J. Karr

Glennon J. Karr, Esq.
Counsel for Dr. Stuck

3/12/14
Date

Yvonne Tertel
Yvonne Tertel, Esq.
Principal Assistant Attorney General
Counselor, Social Worker, Marriage and Family Therapist Board

3-21-14
Date

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STUCK 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.

STUCK 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.

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. STUCK is a licensed independent social worker with the supervision designation (I.0007474 - SUPV) licensed to practice social work 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. STUCK received her independent social worker with supervision status license on March 20, 2008.
2. In 2012, while working as a licensed independent social worker in Columbus, Ohio, STUCK blurred boundaries with a client by engaging in a financial transaction with him. STUCK'S actions constitute a violation of Ohio Revised Code Section 4757.36(C)(1) and Ohio Administrative Code Section 4757-5-03(A)(4)(d).
3. STUCK admits the statements referenced in paragraph 2 referenced above.

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

Consent Agreement between Andrea F. Stuck and the State of Ohio Counselor, Social Worker, Marriage and Family Therapist Board

1. STUCK'S license to practice as a Licensed Independent Social Worker is reprimanded.

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

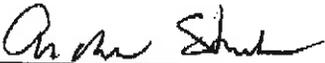
By her signature on this CONSENT AGREEMENT, STUCK acknowledges that in the event the BOARD, in its discretion, does not approve this CONSENT AGREEMENT, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. STUCK 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.

STUCK hereby releases the members of the BOARD, its officers and employees, jointly and severally, from any and all liability arising from the matter within.

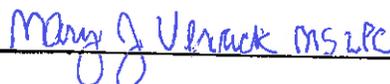
This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43 of the Ohio Revised Code. Pursuant to 42 USC Section 132a-73(b), 5 USC Section 552a, 45 CFR part 61, and Ohio Revised Code 3123.41 et seq., the BOARD may be required to provide STUCK'S social security number to requesting governmental agencies.

The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its November 2013, meeting.

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



Andrea F. Stuck, LISW-S



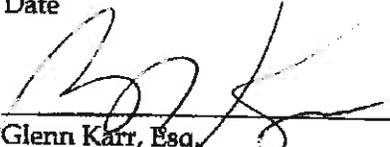
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

9.19.13

Date

11-21-13

Date



Glenn Karr, Esq.
Counsel for Ms. Stuck

Consent Agreement between Andrea F. Stuck and the State of Ohio Counselor, Social Worker, Marriage and Family
Therapist Board

9/20/13
Date