



## ***Counselor, Social Worker & Marriage and Family Therapist Board***

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50 West Broad Street, Suite 1075  
Columbus, Ohio 43215-5919  
614-466-0912 & Fax 614-728-7790  
<http://cswmft.ohio.gov> & [cswmft.info@cswb.state.oh.us](mailto:cswmft.info@cswb.state.oh.us)

### **ADJUDICATION ORDER in the Matter of:**

Robert J. Carson  
13079 Racho School Drive  
Taylor, MI 48180

IN THE MATTER OF ROBERT J. CARSON TO PRACTICE AS A LICENSED  
INDEPENDENT SOCIAL WORKER IN THE STATE OF OHIO.

THE MATTER OF ROBERT J. CARSON CAME BEFORE THE FOLLOWING  
MEMBERS OF THE SOCIAL WORKER PROFESSIONAL STANDARDS  
COMMITTEE OF THE OHIO COUNSELOR, SOCIAL WORKER, AND MARRIAGE  
AND FAMILY THERAPIST BOARD ON MARCH 20, 2014: STEVEN POLOVICK,  
TIMOTHY BRADY, DR. CARL BRUN AND JENNIFER BRUNNER.

### **FINDINGS, ORDER, AND JOURNAL ENTRY**

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Robert J. Carson by the Social Worker Professional Standards Committee on January 17, 2014.

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, Dr. Carson 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 the case was presented to the Social Worker Professional Standards Committee on March 20, 2014.

### **Summary of Evidence**

#### **State's Exhibits**

1. Affidavit prepared by William L. Hegarty, Deputy Director, State of Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.

2. Notice of Opportunity for Hearing to Dr. Carson dated January 17, 2014.
3. Consent Agreement entered into by the Board and Dr. Carson dated May 2009.

### **Conclusions of Law**

Ohio Revised Code Section 4757.36(C)(1) provides that the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board may take disciplinary action against a licensee who has committed a violation of any provision of the Board's law and rules.

### **Discussion and Findings**

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 evidence presented to it and make specific findings of fact. In this case, Robert J. Carson did not request a hearing after receipt of his Notice for Opportunity for Hearing.

The Social Worker Professional Standards Committee has reviewed the evidence prepared in this case. The Committee finds that in about October 2013, Dr. Carson entered into a sexual relationship with a current client of the agency where he was employed in a supervisory position in violation of ORC 4757.36(C)(1) and OAC 4757-5-04(A). Based on this, the Committee orders that Robert J. Carson's license to practice as a licensed independent social worker (I.0009744) is **REVOKED**. As Ordered by the Social Worker Professional Standards Committee of the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.

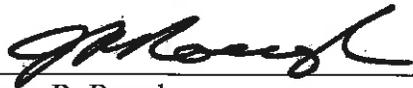
It is hereby certified by this Board that the above language is incorporated into the Board's journal in this matter.

### **APPEAL RIGHTS**

Ohio Revised Code Section 119.12 may authorize an appeal from this Order. Such an appeal must be commenced by the filing of a Notice of Appeal with the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board and in the court of common pleas of the county in which the licensee is a resident. If the party appealing from the order is not a resident of any County, the party may appeal to the court of common pleas of Franklin County. The Notice of Appeal must set forth the order appealed from and state that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with the law. The Notice of Appeal may, but need not, set forth the specific grounds of the party's appeal beyond the statement that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. Both Notices of Appeal must be received at the office of the Board

and filed with the applicable court within fifteen (15) days after mailing of this notice of the agency's order, and in accordance with the provisions of Ohio Revised Code Chapter 119.12.

By Order of the State of Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.



James R. Rough  
Executive Director

March 21, 2014  
Date

Certified Mail Receipt #7005 1160 0001 0335 6310

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BETWEEN JANUARY 2008 AND JULY 2008, WHILE EMPLOYED AT A MENTAL HEALTH AGENCY, IN CLEVELAND, OHIO, DR. CARSON VIOLATED HIS PROFESSIONAL BOUNDARIES, BY GIVING A CLIENT \$300.00 AND \$352.00. THIS ACTION CONSTITUTES A VIOLATION OF ORC 4757.36 (A) (1) AND OAC 4757-5-03 (A). MR. CARSON COMPLETED THE TERMS OF HIS CONSENT AGREEMENT AS OF 02/22/2011

**CONSENT AGREEMENT  
BETWEEN  
ROBERT J. CARSON  
AND THE**

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

This CONSENT AGREEMENT is entered into by and between **ROBERT J, CARSON**, hereinafter, "**CARSON**" 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.

**CARSON** hereby acknowledges that he 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.

**CARSON** is 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 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. **CARSON** is an independent social worker (I-0009744) 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. **CARSON** received his social worker license on May 16, 2003.
2. Between January 2008 and July 2008, while employed at a mental health agency, in Cleveland, Ohio, **CARSON** violated his professional boundaries, by giving a client \$300.00 and \$352.00. This action constitutes a violation of O.R.C. 4757.36 (A)(1) and O.A.C. 4757-5-03 (A).
3. **CARSON** admits the allegations 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, **CARSON** knowingly and voluntarily agrees with the **BOARD** to the following terms and conditions:

1. **CARSON** must work under monitoring for eighteen (18) months with a minimum of one hour of face-to-face monitoring per week or two hours of face-to-face monitoring, two times per month, beginning on the date that the monitoring is approved. The monitoring must be pre-approved by the Board Deputy Director or his designee. The monitor must submit quarterly reports regarding the monitoring. Monitoring should focus on, but not be limited to, areas of concern, areas for improvement, record keeping practices, and ethical decision making, including appropriate boundaries. Quarters consist of the following dates: Jan.-Mar, Apr.-Jun., Jul.-Sept., and Oct.-Dec. In order to meet the requirements of this agreement the reports must be received for each quarter. If **CARSON'S** monitor is concerned with **CARSON'S** practice at any time the Board should be notified immediately. **CARSON** is responsible for the submission of the reports to the Board. All cost associated with the monitoring is the responsibility of **CARSON**. Once **CARSON** successfully completes this monitoring, **CARSON** must ensure verification of completion is sent to the attention of the Investigation Unit at the Board office.
2. **CARSON** must take an additional six (6) hours in counselor ethics continuing education. All hours must be pre-approved by the Board's Deputy Director or his designee. Once **CARSON** successfully completes this continuing education, **CARSON** must send verification directly to the attention of the Investigation Unit at the Board office. The certificates verifying completion are due in the Board office no later than September 18, 2009. The credit earned from the workshops may not be used toward the thirty (30) hours of continuing education required for license renewal. All costs associated with the continuing education are at the expense of **CARSON**.

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

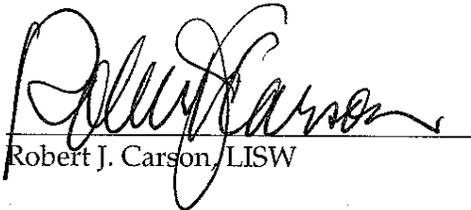
By his signature on this **CONSENT AGREEMENT**, **CARSON** acknowledges that in the event the **BOARD**, in its discretion, does not approve this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **CARSON** agrees that should the **BOARD** reject this **CONSENT AGREEMENT** and if this case proceeds to hearing, he will assert no claim that the **BOARD** was prejudiced by its review and discussion of this **CONSENT AGREEMENT** or of any information relating thereto.

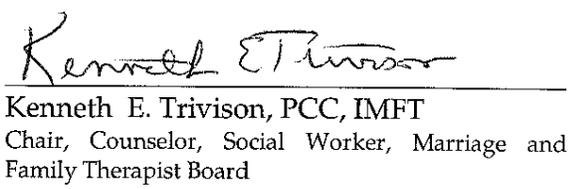
CARSON hereby releases the members of the BOARD, its officers and employees, jointly and severally, from any and all liability arising from the matter within.

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 CARSON'S social security number to requesting governmental agencies.

The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its May, 2009, meeting.

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

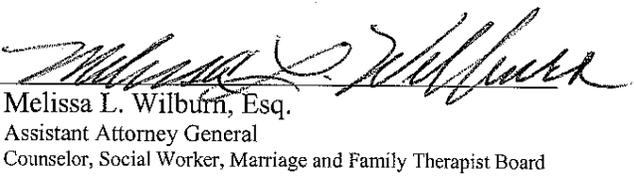
  
Robert J. Carson, LISW

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

May 8, 2009  
Date

5/21/09  
Date

  
Gregory Boop, Esq.  
Dr. Carson's Attorney

  
Melissa L. Wilburn, Esq.  
Assistant Attorney General  
Counselor, Social Worker, Marriage and Family Therapist Board

May 13, 2009  
Date

5-18-09  
Date