

MS. HESTER BLURRED HER PROFESSIONAL BOUNDARIES BY ACTING AS A "HEALTHCARE POWER OF ATTORNEY" FROM ABOUT NOVEMBER 2006, THROUGH MARCH 2007, FOR A CLIENT THAT ALSO RECEIVED HER SERVICES AT MIAMI VALLEY HOSPITAL AS THE DIRECTOR OF ADULT DAY CARE, AND AS THE DIRECTOR OF VOLUNTEER SERVICES. THIS IS A VIOLATION OF O.R.C.4757.36 (A)(1).

**CONSENT AGREEMENT
BETWEEN
OLIVIA HESTER
AND THE**

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

This CONSENT AGREEMENT is entered into by and between **OLIVIA HESTER**, hereinafter, "**HESTER**" 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.

HESTER 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.

HESTER 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 **HESTER** fail to comply with any provisions of this CONSENT AGREEMENT, **HESTER** 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 and, understandings:

1. **HESTER** is a social worker (S-0004023) 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. **HESTER** received her social work license on March 12, 1990.
2. **HESTER** blurred her professional boundaries by acting as a "healthcare power of Attorney" from about November 2006, through March 2007, for a client that also received her services at Miami Valley Hospital as the Director of Adult Day Care, and as the Director of Volunteer Services. This is a violation of O.R.C. 4757.36 (A) (1) and O.A.C. 4757-5-03 (A).
3. **HESTER** admits the allegations referenced in paragraph 2.

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

1. HESTER'S social worker license is REPRIMANDED.
2. HESTER must take an additional six (6) hours in social work ethics continuing education. All hours must be pre-approved by the Board's Deputy Director or his designee. Once HESTER successfully completes this continuing education, HESTER 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 16, 2008~~ ^{December 31, 2008}. 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 HESTER.

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, HESTER 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. HESTER 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.

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

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

Consent Agreement between Olivia Hester and the State of Ohio Counselor, Social Worker, Marriage and Family Therapist Board

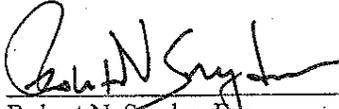
This CONSENT AGREEMENT shall take effect upon the date of the Board Chair's signature below:



Olivia Hester, LSW

3/4/08

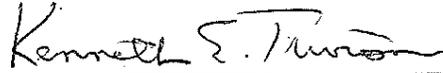
Date



Robert N. Snyder, Esq.
Olivia Hester's Attorney

March 4, 2008

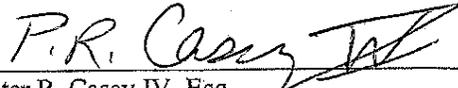
Date



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

3/20/08

Date



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

3/21/08

Date