



STATE OF OHIO COUNSELOR AND SOCIAL WORKER BOARD

ADJUDICATION ORDER in the Matter of:

Preston D. Wiley
2280 Ashland Avenue, #4746
Toledo, Ohio 43620

IN THE MATTER OF PRESTON D. WILEY TO PRACTICE AS A SOCIAL WORKER
IN THE STATE OF OHIO.

THE MATTER OF PRESTON D. WILEY CAME BEFORE THE SOCIAL WORK
PROFESSIONAL STANDARDS COMMITTEE OF THE OHIO COUNSELOR AND
SOCIAL WORKER BOARD ON MAY 22, 1998.

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Preston D. Wiley by the Counselor and Social Worker Board on November 24, 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, Preston D. Wiley failed to make a timely request for such a hearing, therefore, pursuant to *Goldman v. State Medical Board of Ohio* (1996), 110 Ohio App.3d 124, 673 N.E.2d 677, a hearing was held before Ronda Shamansky, Hearing Officer appointed by the Board on March 26, 1998. At this hearing the Board, by and through Assistant Attorney Jonathan M. Bowman presented evidence in support of the Notice of Opportunity for Hearing. Preston D. Wiley was not present.

Summary of Evidence

A copy of the Hearing Officer's Report and Recommendations is attached.

Discussion

The Social Work Professional Standards Committee, prior to rendering its decision, reviewed the Report and Recommendations prepared by the Hearing Officer. The Committee hereby incorporates in its entirety the Report and Recommendations of the Hearing Officer into this ORDER.

THEREFORE, it is hereby ORDERED that, for the reasons outlined in this ORDER, the license of Preston D. Wiley (S-24101) is REVOKED. This ORDER was approved by unanimous vote of the Members of the Social Work Professional Standards Committee who reviewed this case.

Motion carried by order of the Social Work Professional Standards Committee of the Ohio 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.



Robert Moore
Chair

Certification

I hereby certify that a true and accurate copy of this Adjudication Order of the State of Ohio Counselor and Social Worker Board was mailed return receipt requested to Preston D. Wiley this 28th day of May 1998.

Beth Farnsworth

Beth Farnsworth
Executive Director

5-28-98

Date

Z337 619 109

Certified Mail Number
Return Receipt Requested

STATE OF OHIO

COUNSELOR AND SOCIAL WORKER BOARD

IN THE MATTER OF THE
LICENSURE OF

Preston D. Wiley

AS A SOCIAL WORKER
IN THE STATE OF OHIO

REPORT AND RECOMMENDATION OF
HEARING EXAMINER

April 9, 1998

FOR THE LICENSEE:

No appearance

HEARING EXAMINER:

Ronda S. Shamansky
245 East Gay Street
Columbus, Ohio 43215-3210
614/224-9078

FOR THE BOARD:

Jonathan Bowman
Assistant Attorney General
Health & Human Services Section
30 E. Broad St., 26th Floor
Columbus, Ohio 43215
614/466-8600

FINDINGS OF FACT:

1. The hearing on this matter was held on Thursday, March 26, 1998 commencing at 10:00 a.m. in the offices of the Counselor and Social Worker Board, 77 South High Street, Columbus, Ohio. The Board was represented by Jonathan Bowman. The licensee, Preston D. Wiley, had not requested a hearing and did not appear. The hearing allowed the opportunity for direct and cross examination of witnesses, the submission of documents, and for arguments to be made.
2. The Board has proposed disciplinary action against Mr. Wiley's social worker's license because it alleges that he knowingly made a false statement on his licensure application, thereby violating R.C. 4757.36(A)(2). In addition, the Board contends that Mr. Wiley is now ineligible for licensure because of his failure to hold the degree that he claimed he held on his licensure application. For these reasons, the State has asked that his license to practice social work be revoked.
3. At the hearing, the State called William Hegarty and Michele Hackett to testify about the details of the investigation into the charges against Mr. Wiley. Mr. Hegarty testified that the Board first initiated an investigation against Mr. Wiley in the late summer or early fall of 1996. Mr. Wiley was not licensed at that time, but the complaint alleged possible unlicensed practice. At that time, Board investigator Peggy Fossett contacted Wayne State University to verify Mr. Wiley's academic record, and received a letter in response indicating that Mr. Wiley had attended that university at one time, but that he had not earned a degree. State's Exhibits 6, 7. Shortly thereafter, Mr. Wiley apparently moved out of the State, and the investigation was closed.
4. On or about April 1, 1997, the licensure section of the Board received a licensure application from Mr. Wiley, which included an academic transcript indicating that Mr. Wiley earned a Master of Social Work degree from Wayne State University, conferred on June 21, 1977. On this basis, and through an apparent oversight by the Board, Mr. Wiley was licensed as a social worker.

5. In the fall of 1997, the Board received a complaint alleging that Mr. Wiley's academic transcript was fraudulent, and the investigation was re-opened. Michele Hackett testified that she contacted Wayne State University, and that the Student Records Office confirmed that Mr. Wiley attended the university, but did not earn any degree. State's Exhibit 8.

DISCUSSION

I am persuaded by the testimony and the documents introduced into evidence to believe that Mr. Wiley falsified his academic transcript showing his purported Master's of Social Work degree. Wayne State University has twice denied in writing that he holds any degree, and an examination of the transcript itself shows a difference in the fonts used to list the coursework completed. The courses taken by Mr. Wiley in the spring and fall quarters of 1975 are printed in a different font than the remaining courses listed on the transcript, suggesting to me that the later courses were fraudulently added to the transcript by Mr. Wiley.

Because Mr. Wiley has no Master's of Social Work degree, he is rendered ineligible for the license he holds, pursuant to R.C. 4757.28(B)(2) and Rule 4757-9-02(A). In addition, because he has knowingly made a false statement on his application for licensure, R.C. 4757.36(A)(2) authorizes the Board to revoke the license that it erroneously granted to him.

CONCLUSION OF LAW

I conclude that the Board is authorized by R.C. 4757.36(A)(2) to revoke Mr. Wiley's license to practice social work because he knowingly made a false statement on his licensure application. In addition, because he does not hold the degree that he claimed to hold on the application, he is not eligible for licensure under R.C. 4757.28(B)(2) and Rule 4757-9-02(A).

RECOMMENDATION

For the reasons detailed in this report, I recommend that the Board revoke Preston D. Wiley's license to practice social work immediately.

Ronda S. Shamansky

Ronda S. Shamansky
Hearing Examiner