

CSWMFTB

2003 SEP -8 P 2:24

**CONSENT AGREEMENT
BETWEEN
AMY M. GABRIEL
AND THE
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD**

This CONSENT AGREEMENT is entered into by and between AMY M. GABRIEL, hereinafter, "GABRIEL", 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 thereunder.

GABRIEL 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.

GABRIEL 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 GABRIEL fail to comply with any provisions of this CONSENT AGREEMENT, GABRIEL 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. GABRIEL is a social worker (S-25213) 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. GABRIEL received her social work license on May 22, 1998.
2. The Domestic Violence Project, Inc. in Canton, OH, employed GABRIEL. From approximately July 1, 2003, through approximately mid-August 2003, GABRIEL forged several client signatures on client documentation, including release of information forms and client treatment plans. GABRIEL self-reported this to the BOARD. Inaccurate records constitute a violation of Ohio Revised Code Section 4757.36(A)(1) and Ohio Administrative Code Section 4757-5-01(I)(1).
3. From approximately July 1, 2003, through approximately mid-August 2003, GABRIEL, while employed at The Domestic Violence Project,

Inc., Canton, OH, did not complete timely documentation of client records. This constitutes a violation of Ohio Revised Code Section 4757.36(A)(1) and Ohio Administrative Code Section 4757-5-01(I)(2). **GABRIEL** self-reported this to the **BOARD**.

4. **GABRIEL ADMITS** 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, **GABRIEL** knowingly and voluntarily agrees with **BOARD** to the following terms and conditions:

1. **GABRIEL'S** license to practice social work is hereby **SUSPENDED** for a period of one (1) month from October 1, 2003, through October 31, 2003.
2. **GABRIEL** must take for credit and a grade a social work ethics course from an accredited college or university. This course must be pre-approved by the **BOARD'S** investigative supervisor or his designee. This course cannot be a home-study or an on-line based course. Upon completion of this course, **GABRIEL** must arrange for the college or university to send an official transcript showing successful completion of this course to the **BOARD'S** Investigation Unit. **GABRIEL** will have until July 31, 2005, to complete this course and ensure the **BOARD** receives the required transcript.
3. Should **GABRIEL** re-enter the social work profession, she must notify the **BOARD** of her new position and location of employment. A supervisor pre-approved by the **BOARD** must supervise **GABRIEL**. **GABRIEL** will provide the **BOARD** with the name of her supervisor for pre-approval. This requirement will exist for one year from the date that **GABRIEL** re-enters the profession and the **BOARD** approves the supervisor. The supervision will concentrate on ethics and documentation. The **BOARD** reserves the right to ask the supervisor performance related questions with regard to **GABRIEL**. The pre-approved supervisor must submit a report at the end of the supervisory period verifying successful completion.

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**, **GABRIEL** 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. **GABRIEL** 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.

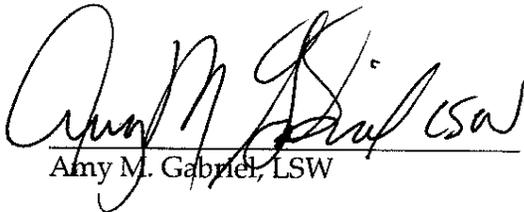
If, following notice and an evidentiary hearing, not an Ohio Revised Code Chapter 119 hearing, **GABRIEL** is found by the **BOARD** to have violated any terms of this Consent Agreement, the **BOARD** may impose any penalty up to and including **REVOCAION** of **GABRIEL'S** social work license based solely upon a violation of this Consent Agreement. **GABRIEL** may not appeal this action.

GABRIEL 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 Section 3123.41 et seq the **BOARD** may be required to provide **GABRIEL'S** social security number to requesting governmental agencies.

The **BOARD** shall incorporate this **CONSENT AGREEMENT** into a formal journal entry at its September, 2003, meeting.

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



Amy M. Gabriel, LSW

Sept. 6, 2003

Date

Counsel for Ms. Gabriel

Date



Frank O'Dell, PCC
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

9-19-03

Date



Barbara Petrella, Esq.
Assistant Attorney General
Counselor, Social Worker, Marriage and Family Therapist Board

9-19-03 / BJP

Date