



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

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

Lucious Harper  
4652 Parrau Drive  
Columbus, OH 43228

**IN THE MATTER OF LUCIOUS HARPER TO PRACTICE AS A LICENSED SOCIAL WORKER IN THE STATE OF OHIO.**

**THE MATTER OF LUCIOUS HARPER 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 MAY 17, 2018: ANNA BOMAS, ANDREW BOWERS, ERIN MICHEL, AND LISA HABERBUSCH.**

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

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Lucious Brown by the Social Worker Professional Standards Committee on April 5, 2018.

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, Mr. Harper failed to make a timely request for such a hearing, therefore pursuant to *Goldman v. State Medical Board of Ohio*, 110 Ohio App.3d 124, 673 N.E.2d 677 (1996) the case was presented to the Social Worker Professional Standards Committee on May 17, 2018.

### **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 Mr. Harper dated April 5, 2018.

### 3. Communication to Mr. Harper from the Board

#### **Conclusions of Law**

Ohio Revised Code Sections 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 violated any provision of the Board's statute or rules.

#### **Discussion and Findings**

As required in the case of *Goldman v. State Medical Board of Ohio*, 110 Ohio App.3d 124, 673 N.E.2d 677 (1996), 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, Lucious Harper 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 Lucious Harper failed to cooperate in a Board investigation of his license in violation of ORC 4757.36 (C)(1) and OAC 4757-11-01(C)(18). Based on this, the Committee orders that Mr. Harper's license to practice as a licensed social worker (S.0026467) is **REVOKED**. As Ordered by the Social Worker Professional Standards Committee of the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board. This decision was by a unanimous vote of the Board members who reviewed and voted on the case.

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.



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Brian Carnahan  
Executive Director

May 17, 2018  
Date

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**CONSENT AGREEMENT  
BETWEEN  
LUCIOUS HARPER  
AND THE  
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND  
FAMILY THERAPIST BOARD**

This CONSENT AGREEMENT is entered into by and between LUCIOUS HARPER, hereinafter, "**HARPER**", 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.

**HARPER** 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.

**HARPER** 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. Should **HARPER** fail to comply with any provisions of this CONSENT AGREEMENT, **HARPER** knowingly waives his 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. **HARPER** is a social worker (S-26467) 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. **HARPER** received his social work license on May 21, 1999.
2. **HARPER** was employed at St. Vincent's Family Center, Columbus, Ohio, as a social worker from March 3, 2003, until March 30, 2004. **HARPER** terminated his position on March 30, 2004(1) From March 30, 2004, the date **HARPER** terminated his position with the agency, he failed to complete required documentation with regard to services received to his clients. **HARPER** had been notified on several occasions by his supervisor that this documentation needed to be completed. As of July 29, 2004, the documentation had not been submitted. **HARPER'S** conduct is in violation of Ohio Revised Code Section 4757.36(A)(1) and Ohio Administrative Code Section 4757-5-01(I)(1) through (I)(2).
3. **HARPER ADMITS** the allegations referenced in paragraph 2

referenced above.

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

1. **HARPER'S** license to practice social work (S-26467) is Reprimanded.
2. **HARPER** must receive face-to face supervision, by an individual pre-approved by the Board, one-hour every week for a period of 2 years. **HARPER** should not select a supervisor with which he has a prior relationship. If any previous relationship with the supervisor exists, **HARPER** must provide full disclosure of such a relationship in the request for supervisor approval. The 2-year supervision period will not begin until **HARPER'S** supervisor is approved. Supervision should focus on, but not limited to, **HARPER'S** role in professional relationships, ethical decision-making, and proper record keeping. **HARPER'S** supervisor is required to submit a report to the Board, quarterly, detailing topics discussed during supervision sessions, areas of concern, and areas for improvement. At the end of the 2-year supervised period, **HARPER'S** supervisor will make a final report encompassing the 2 years of supervision. If **HARPER'S** supervisor is concerned with **HARPER'S** practice at any time the Board should be notified immediately. It is **HARPER'S** responsibility to ensure that the Board receives the supervisor's reports. All costs associated with the supervision are at the expense of **HARPER**.
5. **HARPER** must take an additional eight (8) hours in social work ethics continuing education. All hours must be pre-approved by the Board's Deputy Director or his designee. Once **HARPER** successfully completes this continuing education, **HARPER** 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 March 18, 2006. 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 **HARPER**.

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**, **HARPER** 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. **HARPER** 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

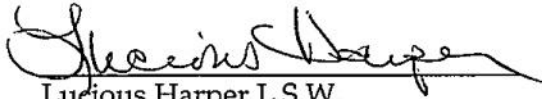
review and discussion of this CONSENT AGREEMENT or of any information relating thereto.

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

The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its March 18, 2005, meeting.

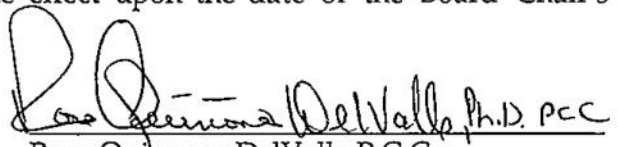
This CONSENT AGREEMENT shall take effect upon the date of the Board Chair's signature below:

  
Lucious Harper L.S.W.


2-23-05  
Date

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Counsel for Harper

\_\_\_\_\_  
Date

  
Rose Quinones-DelValle P.C.C.  
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

3-18-05  
Date

  
Juliane Barone  
Assistant Attorney General  
Counselor, Social Worker, Marriage and Family Therapist Board

3-18-05  
Date