



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

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**ADJUDICATION ORDER
in the Matter of:**

Beverly Frierson, W094988
Ohio Reformatory for Women
1479 Collins Avenue
Marysville, OH 43040

**IN THE MATTER OF BEVERLY FRIERSON TO PRACTICE AS A LICENSED
SOCIAL WORKER IN THE STATE OF OHIO.**

**THE MATTER OF BEVERLY FRIERSON 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 NOVEMBER 17, 2016: ANNA BOMAS,
LISA HABERBUSCH AND DR. CARL BRUN.**

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Beverly Frierson, by the Social Worker Professional Standards Committee on July 21, 2016.

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, Ms. Frierson failed to make a timely request for such a hearing, therefore pursuant to *Goldman v. State Medical Board*, 110 Ohio App.3d 124, 673 N.E.2d 677 (1996) the case was presented to the Social Worker Professional Standards Committee on November 17, 2016.

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 Ms. Frierson dated July 21, 2016.
3. Sentencing Hearing document regarding Ms. Frierson from the Washington County Common Pleas Court.
4. Offender Search result regarding Ms. Frierson from the Ohio Dept. of Rehabilitation and Correction.
5. Consent Agreement entered into in May 2005 by the Board and Ms. Frierson.

Conclusions of Law

Ohio Revised Code Section 4757.36(C)(5) provides that the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board may take disciplinary action against a licensee who has received a felony conviction in Ohio. The evidence shows that in January 2016, Ms. Frierson pled guilty and was found guilty in the Washington County Common Pleas Court of Tampering with Evidence, a third degree felony in violation of Ohio Revised Code 2921.12 (A)(2) and (C).

Discussion and Findings

As required in the case of *Goldman v. State Medical Board*, 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, Beverly Frierson did not request a hearing after receipt of her Notice for Opportunity for Hearing.

The Social Worker Professional Standards Committee has reviewed the evidence prepared in this case. The Committee finds that Beverly Frierson was convicted of a felony in violation of ORC 4757.36(C)(5). Based on this, the Committee orders that Ms. Frierson's license to practice as a licensed social worker (S.0027897) 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 place of business of the licensee is located or the county in which the licensee is a resident. If the party appealing from the order is not a resident of and has no place of business in this state, 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 filed with the Board and 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.



Brian P. Carnahan
Executive Director

November 17, 2016

Date

Certified Mail Receipt #7005 3110 0002 4892 7962 and by certificate of mailing --
11/17/16

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

This CONSENT AGREEMENT is entered into by and between BEVERLY FRIERSON, hereinafter, "FRIERSON," 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.

FRIERSON 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.

FRIERSON 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 FRIERSON fail to comply with any provisions of this CONSENT AGREEMENT, FRIERSON 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. FRIERSON is a social worker (S-27897) 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. FRIERSON received her social work license on July 21, 2000.
2. In July through September 2004, while FRIERSON was employed as a case manager at Southeast, Inc., she entered into a multiple relationship by co-signing checks made out to her clients. FRIERSON'S conduct constitutes a violation of Ohio Revised Code Section 4757.36(A)(1) and Ohio Administrative Code Section 4757-5-01(C).
3. FRIERSON ADMITS the allegations referenced in paragraphs 1-2 above.

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

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

1. FRIERSON'S license to practice social work is hereby REPRIMANDED.
2. FRIERSON must take six (6) hours of continuing education in the area of social work ethics. These hours must be pre-approved by the Board's Deputy Director or his designee. These hours are in addition to FRIERSON'S licensure renewal requirements and these 6 hours cannot be used toward the renewal of her social work license. All costs related to this requirement are at the expense of FRIERSON.

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, FRIERSON 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. FRIERSON 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.

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

The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its May 20, 2005, meeting.

Consent Agreement between Beverly Frierson 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:

Beverly R Frierson
Beverly Frierson, LSW

4-4-05
Date

Rose Quinones-DelValle, PCC
Rose Quinones-DelValle, PCC
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

5-20-05
Date

J. E. Barone, Esq. for
Juliane E. Barone, Esq.
Assistant Attorney General
Counselor, Social Worker, Marriage and Family Therapist Board

5-20-05
Date