



ADJUDICATION ORDER
in the Matter of:

Donald E. Zlotnik
5855 Allentown Road
Lima, OH 45807

IN THE MATTER OF THE ELIGIBILITY OF DONALD E. ZLOTNIK TO
MAINTAIN LICENSURE AS A SOCIAL WORKER IN THE STATE OF OHIO.

THE MATTER OF DONALD E. ZLOTNIK CAME BEFORE THE FOLLOWING
MEMBERS OF THE SOCIAL WORK PROFESSIONAL STANDARDS COMMITTEE
OF THE OHIO COUNSELOR, SOCIAL WORKER, AND MARRIAGE AND FAMILY
THERAPIST BOARD ON NOVEMBER 18, 2004: GLENN ABRAHAM, MOLLY
MICHELBRINK, GWENDOLYN DACONS-TAYLOR, AND ROCKY BLACK.

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Donald E. Zlotnik by the Counselor, Social Worker, and Marriage and Family Therapist Board on March 25, 2004. An administrative hearing was held on November 18, 2004, at 9:00 a.m. in the offices of the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board, 77 S. High Street, Columbus, Ohio 43215, pursuant to Chapter 119 and Section 4757 of the Ohio Revised Code. Assistant Attorney General Juliane E. Barone represented the State. Donald E. Zlotnik was present and not represented by counsel.

State's Exhibits

- A. Letter dated April 5, 2004, from Mr. Zlotnik to the Board.
- B. Professional vitae of Richard E. Boettcher.
- C. Letter, with enclosed documentation, dated October 29, 2004, to Dr. Boettcher from the Board.

- D. Notice of Opportunity for Hearing issued to Donald E. Zlotnik by the Board dated March 25, 2004.
- E. Letter dated March 27, 2004, from Mr. Zlotnik to the Board requesting a hearing.
- F. Letter dated March 31, 2004, from the Board to Mr. Zlotnik scheduling an administrative hearing and continuing said hearing.
- G. Letter dated October 5, 2004, from the Board to Mr. Zlotnik scheduling a hearing for November 18, 2004.
- H. Interview notes dated July 9, 2003 regarding Donald Zlotnik.
- I. Testimony of Donald E. Zlotnik, licensee.
- J. Testimony of Richard E. Boettcher, expert witness
- K. Testimony of William L. Hegarty, Deputy Director, for the Board.
- L. Testimony of Jason Schutte, state investigator.

Respondent's Exhibits

1. Memorandum for record dated December 31, 2001, prepared by Mr. Zlotnik.
2. Letter dated May 20, 2002, from Mr. Zlotnik.
3. Letter, with attachment, dated May 23, 2002, from Mr. Zlotnik.
4. Letter dated May 24, 2002, from Mr. Zlotnik.
5. Unredacted client chart prepared by Zlotnik
6. Copy of a business card regarding Barry Jennings.
7. Testimony of Donald E. Zlotnik, licensee.

DISCUSSION

The Social Work Professional Standards Committee reviewed the evidence and testimony regarding Donald E. Zlotnik presented by the State of Ohio. The Committee determined that Mr. Zlotnik entered into a multiple relationship with a minor client of The Seraphim & Angel Agency, Lima, Ohio in violation of Ohio Revised Code Section 4757.36(A)(1) and Ohio Administrative Code Section 4757-5-01(C)(1). The Committee further

determined that Donald E. Zlotnik practiced outside of his competency area in violation of Ohio Revised Code Section 4757.36(A)(1) and Ohio Administrative Code Section 4757-5-01(B)(1)(b).

CONCLUSIONS OF LAW

Ohio Revised Code Section 4757.36(A)(1) provides that the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board may take disciplinary action against a licensee who has committed a violation of any provision of the laws and rules governing the practice of counseling, social work, or marriage and family therapy in the State of Ohio.

FINDINGS, ORDER, AND JOURNAL ENTRY

The Committee Orders that Mr. Zlotnik's license to practice social work (S-28892) be suspended for 6 months based on the violations of law and rules discussed above. Also, the Board orders that during the 6 months of suspension, Zlotnik take 6 hours of continuing education credit in the area of professional social work boundaries and 3 hours of continuing education credit in the area of social work ethics. None of these hours will count toward the renewal of Zlotnik's social work license. The hours must be pre-approved by the Board's Deputy Director and cannot be an on-line course. After completion of these hours, Zlotnik must present the Board with proof of attendance certificates from these pre-approved hours.

This ORDER was approved by unanimous vote of the Members of the Committee who reviewed this case.

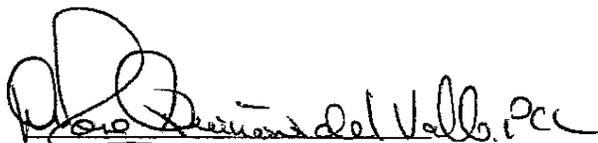
Motion carried by order of the Social Work Professional Standards Committee of the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.

APPEAL RIGHTS

Under the provisions of Ohio Revised Code Section 119.12, any party adversely affected by an order of an agency issued pursuant to an adjudication denying an applicant admission to an examination, or denying the issuance or renewal of a license or registration of a license, or revoking or suspending a license, may appeal from the order of the agency to 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 any such party is not a resident of and has no place of business in Ohio, the party may appeal to the court of common pleas of Franklin County

This *Order* may be appealed in accordance with Section 119.12 of the Ohio Revised Code by filing the original Notice of Appeal with the Ohio Counselor, Social Worker, and Marriage and Family Therapy Board, 77 S. High Street, 16th Floor, Columbus, Ohio 43215, and also a copy of that Notice of Appeal with the Court of Common Pleas in the county of the party's place of business, or in the county in which the party is a resident. The Notice of Appeal shall set forth the Order appealed from and the grounds of the Party's appeal. Such Notice of Appeal and copy shall be filed and must be delivered within fifteen (15) days after the mailing of this *Adjudication Order*.

By Order of the State of Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.



Rose Quinones-del Valle, PCC
Chairperson

November 19, 2004

Certified Mail Receipt #7002 2030 0000 7089 6352



ADJUDICATION ORDER
in the Matter of:

Donald E. Zlotnik
5855 Allentown Road
Lima, OH 45807

IN THE MATTER OF DONALD E. ZLOTNIK TO PRACTICE AS A LICENSED
SOCIAL WORKER IN THE STATE OF OHIO.

THE MATTER OF DONALD E. ZLOTNIK 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 JULY 22, 2005: GLENN ABRAHAM,
ROCKY BLACK, GWENDOLYN DACONS-TAYLOR, DR. THERESA CLUSE-
TOLAR, AND MOLLY MICHELBRINK.

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Donald E. Zlotnik by the Social Worker Professional Standards Committee on May 21, 2005.

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, Donald E. Zlotnik failed to make a timely request for such a hearing, therefore pursuant to *Goldman v. State Medical Board* (March 29, 1996) Franklin County Court of Appeals, 95 APE 10-1358 the case was presented to the Social Work Professional Standards Committee on July 22, 2005.

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 Donald Zlotnik dated May 21, 2005 (State Exhibit A).
3. Envelope returned to the Board with Donald Zlotnik's initials and the word "Refused" on it (State Exhibit B).
4. State of Ohio Counselor, Social Worker, and Marriage and Family Therapist Board Adjudication Order in the matter of Donald E. Zlotnik dated November 19, 2004 (State Exhibit C).
5. Letter and attached documentation received at the Board on February 8, 2005, from Mr. Zlotnik to Van Wert County PCSA (State Exhibit D).
6. Letter dated March 4, 2005, from Mr. Zlotnik to the Board (State Exhibit E).
7. Letter dated May 20, 2005, from Mr. Zlotnik to the Board (State Exhibit F).
8. Copy of Computer Printout (redacted) showing Mr. Zlotnik has been licensed as a social worker since July 20, 2001 (State Exhibit G).

Conclusions of Law

Ohio Revised Code Section 4757.36(A)(1) provides that the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board may take disciplinary action against a licensee who has committed a violation of any provision of the Board's law and rules. Ohio Administrative Code Section 4757-11-04(O)(1)(j) states that the Board may reinstate a license following a suspension if the licensee has completed all terms and conditions placed upon the licensee through a Board approved adjudication order.

Discussion and Findings

As required in the case of *Goldman v. State Medical Board* (March 29, 1996) Franklin County Court of Appeals 95APE10-1358, 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, Mr. Zlotnik 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 Mr. Zlotnik practiced social work during the period of time his license was suspended and that he failed to seek pre-approval for the required continued education courses. There is no evidence Mr. Zlotnik has taken the required continued education hours. Based on this, the Committee orders that Mr. Zlotnik's license to practice social work (S-28892) be **REVOKED**. As Ordered by the Social Worker Professional Standards Committee of the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.

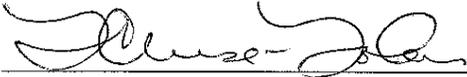
It is hereby certified by this Board that the above language is incorporated into the Board's journal in this matter.

APPEAL RIGHTS

Under the provisions of Ohio Revised Code Section 119.12, any party adversely affected by an order of an agency issued pursuant to an adjudication denying an applicant admission to an examination, or denying the issuance or renewal of a license or registration of a license, or revoking or suspending a license, may appeal from the order of the agency to 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 any such party is not a resident of and has no place of business in Ohio, the party may appeal to the court of common pleas of Franklin County

This *Order* may be appealed in accordance with Section 119.12 of the Ohio Revised Code by filing the original Notice of Appeal with the Ohio Counselor, Social Worker, and Marriage and Family Therapy Board, 77 S. High Street, 16th Floor, Columbus, Ohio 43215, and also a copy of that Notice of Appeal with the Court of Common Pleas in the county of the party's place of business, or in the county in which the party is a resident. The Notice of Appeal shall set forth the Order appealed from and the grounds of the Party's appeal. Such Notice of Appeal and copy shall be filed and must be delivered within fifteen (15) days after the mailing of this *Adjudication Order*.

By Order of the State of Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.


for Rose Quinones-DelValle, Ph.D., PCC
Chairperson

7-26-05
Date

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