

CONSENT AGREEMENT
BETWEEN
2011 NOV 25 P 2:04
REBECCA J. VOCCA
AND THE
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD

This CONSENT AGREEMENT is entered into by and between REBECCA J. VOCCA, hereinafter, "VOCCA," 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.

VOCCA 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.

VOCCA 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.

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. VOCCA is a social worker (S.0700406) 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. VOCCA received her social work license on May 18, 2007.
2. In March 2011, while employed as a social worker in a Columbus Ohio agency, VOCCA created a false clinical note and agency expense document indicating she had met with a client of the agency when in fact this meeting did not take place on the date or place indicated in the clinical note. Inaccurate records constitute a violation of Ohio Revised Code Section 4757.36(C)(1) and Ohio Administrative Code Section 4757-5-09(B).
3. VOCCA admits the allegations referenced in paragraph 2 above.

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

1. **VOCCA** must receive personal counseling by a licensed mental health provider pre-approved by the Board, at least twice a month for a period of one (1) year. **VOCCA** must submit, in writing, the name and address of the individual she would like to be approved for her personal counseling by August 1, 2011. **VOCCA** must provide full disclosure of any personal or professional prior relationship in the request for approval. The 1-year personal counseling period will not begin until **VOCCA'S** mental health provider is approved by the Board. **VOCCA'S** mental health provider is required to submit a report to the Board, quarterly, detailing topics discussed during counseling sessions, areas of concern, and areas for further focus. At the end of the 1-year personal counseling period, **VOCCA'S** mental health provider will make a final report encompassing the 1 year of counseling. If **VOCCA'S** mental health provider is concerned with **VOCCA'S** practice at any time the Board should be notified immediately. It is **VOCCA'S** responsibility to ensure that the Board receives the mental health provider's reports. All costs associated with the personal counseling are at the expense of **VOCCA**.
2. **VOCCA'S** application to be licensed as an independent social worker will be held until the May 2012 Board meeting for review. In early 2012, **VOCCA** will have to obtain a new criminal background check pursuant to the Board's requirements.

It is hereby agreed by and between both parties that this **CONSENT AGREEMENT** hereby settles all issues concerning this matter.

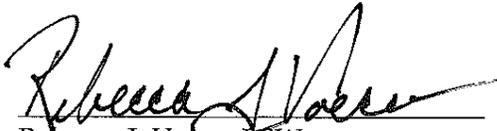
By her signature on this **CONSENT AGREEMENT**, **VOCCA** acknowledges that in the event the **BOARD**, in its discretion, does not approve this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **VOCCA** 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.

VOCCA 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 **VOCCA'S** social security number to requesting governmental agencies.

The **BOARD** shall incorporate this **CONSENT AGREEMENT** into a formal journal entry at its July 2011, meeting.

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



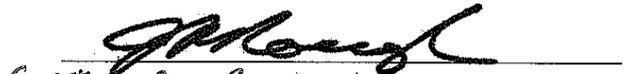
Rebecca J. Vocca, LSW

5/25/2011

Date

Counsel for Ms. Vocca

Date



For Jennifer Riesbeck-Lee
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

7-22-11

Date



Leah V.B. O'Carroll, Esq.
Assistant Attorney General
Counselor, Social Worker, Marriage and Family Therapist Board

7/22/11

Date



Counselor, Social Worker & Marriage and Family Therapist Board

50 West Broad Street, Suite 1075
Columbus, Ohio 43215-5919
614-466-0912 & Fax 614-728-7790
<http://cswmft.ohio.gov> & cswmft.info@cswb.state.oh.us

ADJUDICATION ORDER in the Matter of:

Rebecca Vocca
4001 Foster Street
Columbus, OH 43214

IN THE MATTER OF REBECCA VOCCA TO PRACTICE AS A LICENSED SOCIAL WORKER IN THE STATE OF OHIO.

THE MATTER OF REBECCA VOCCA 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 JANUARY 19, 2012: JENNIFER HADDON, DONALD MCTIGUE, AND ROBERT NELSON.

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Rebecca J. Vocca by the Social Worker Professional Standards Committee on November 30, 2011.

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. Vocca 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 January 19, 2011.

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. Vocca dated November 30, 2011.
3. Consent Agreement, entered into by Ms. Vocca and the Board, dated July 22, 2011.
4. Communication between Margaret-Ann Adorjan, Board compliance officer, Bill Hegarty, Board Deputy Director, and Ms. Vocca.

Conclusions of Law

Ohio Revised Code Section 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 committed a violation of any provision of the Board's law and rules. Ohio Administrative Code Section 4757-11-01(C)(21) states that the Board may discipline a licensee for failing to comply with a Board approved consent agreement.

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, Ms. Vocca did not request a hearing on her Notice for Opportunity for Hearing.

The Social Worker Professional Standards Committee has reviewed the evidence prepared in this case. The Committee finds that Ms. Vocca did not comply with the provisions of the Consent Agreement. Based on this, the Committee orders that Ms. Vocca's license to practice as a social worker (S.0700406) is **REVOKED**. As Ordered by the Social Worker Professional Standards Committee of the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.

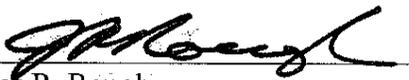
It is hereby certified by this Board that the above language is incorporated into the Board's journal in this matter.

APPEAL RIGHTS

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, 50 West Broad Street, Suite 1075, 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.


James R. Rough
Executive Director

1-19-12
Date

Certified Mail Receipt #7005 3110 0002 4898 0844