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CONSENT AGREEMENT BETWEEN MARY JO MERMER-WELLY AND THE STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST BOARD

This CONSENT AGREEMENT is entered into by and between **MARY JO MERMER-WELLY** hereinafter, **"MERMER-WELLY"** 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.

MERMER-WELLY 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. **MERMER-WELLY** 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 and, understandings:

1. **MERMER-WELLY** is a social worker (S-1302067) 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 Section 4757 and Ohio Administrative Code Chapter 4757. **MERMER-WELLY** received her social worker license on January 24, 2013.

2. **MERMER-WELLY** violated professional boundaries, while working at an agency in Northwest Ohio, in 2016, by inviting a client to her home, on two occasions. This action constitutes violations of O.R.C. 4757.36 (C) (1), O.A.C. 4757-5-03 (A) (4) (b) and (c).

3. **MERMER-WELLY ADMITS** the allegations referenced in paragraphs 2.

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

1. **MERMER-WELLY'S** license to practice social work (S-1302067) is hereby **REPRIMANDED.**

2. **MERMER-WELLY** is required to complete ten (10) additional hours of continuing education in ethics at her expense. The additional hours must be pre-approved by the BOARD. **MERMER-WELLY** must contact the BOARD'S investigative unit to seek pre-approval. The additional hours must be completed by January 21, 2017. These ten (10) additional hours may not be used for the renewal of her social worker license.

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, **MERMER-WELLY** 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. **MERMER-WELLY** 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.

MERMER-WELLY 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. All parties to this Consent Agreement understand that this information will be sent to the United States Department of Health and Human Services' National Practitioner Data Bank (NPDB), pursuant to Title IV of Public Law 99-660, the Healthcare Quality Improvement Act of 1986, as amended; Section 1921 of the Social Security Act; and Section 1128E of the Social Security Act, as amended by Section 221(a) of the Health Insurance Portability and Accountability Act of 1996. The **BOARD** shall incorporate this CONSENT AGREEMENT into a formal journal entry at its November 2016, meeting.

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

Mary Jo Mermer-Welly

Mary Jo Mermer-Welly, LSW

10/31/2016

Date

Matthew J. Paylo, Ph.D., LPCC-S
Chair, Counselor, Social Worker,
Marriage and Family Therapist Board

11-17-16

Date

Melissa L. Wilburn, Esq.
Assistant Attorney General
Counselor, Social Worker and Marriage and
Family Therapist Board

11-7-2016

Date