

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

This CONSENT AGREEMENT is entered into by and between PETER GIOITTA, hereinafter, "**GIOITTA**," 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.

GIOITTA 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.

GIOITTA 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.

This CONSENT AGREEMENT contains the entire agreement between the parties, based on the Board's investigation, 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. **GIOITTA** is a professional counselor (C-1300187) licensed to practice counseling in the State of Ohio, and is subject to the laws and rules of Ohio regulating the practice of counseling as outlined in Ohio Revised Code Chapter 4757 and Ohio Administrative Code Chapter 4757. **GIOITTA** received his professional counselor license on January 26, 2016.
2. While working at an agency in North east Ohio, **GIOITTA**, sent sexual text messages to a current client, took the client out to dinner. These actions constitute a violations of O.R.C. 4757.36 (C) (1), and O.A.C. 4757-5-02 (F).

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

1. **GIOITTA'S** license to practice as a counselor (C-1300187) is suspended from January 19, 2018, through January 18, 2022.
2. During the period of suspension, **GIOITTA** must receive personal counseling from a **BOARD** approved independently licensed mental health practitioner for a period of two (2) years. **GIOITTA** is required to meet with this mental health practitioner for a minimum of two (2) one hour sessions a month, and follow any treatment recommendations. All costs associated with this counseling are at **GIOITTA'S** expense. **GIOITTA** must submit the name, contact information, and professional resume or vitae to the **BOARD'S** Deputy Director no later than February 15, 2018, to obtain pre-approval per this requirement. Once approved, the practitioner will provide the **BOARD** with quarterly reports detailing issues discussed in counseling and other issues the practitioner deems appropriate. At the end of the two year mandated counseling period, the practitioner shall provide the **BOARD** with a report encompassing the overall counseling period, and **GIOITTA'S** compliance with treatment recommendations. It is **GIOITTA'S** responsibility to ensure the Board obtains the reports in a timely manner.
3. **GIOITTA** is required to complete six (6) additional hours of continuing education in ethics at his expense. The additional hours must be pre-approved by the **BOARD**. The additional hours must be completed by March 18, 2018. These additional hours may not be used for the renewal of his counselor license.
4. Should **GIOITTA** not fully comply with all requirements of this **CONSENT AGREEMENT**, the **BOARD** will initiate further and likely more severe penalties.

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**, **GIOITTA** 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. **GIOITTA** 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.

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

GIOITTA hereby releases the members of the **BOARD**, its officers and employees, jointly and severally, from any and all liability arising from the matter within.

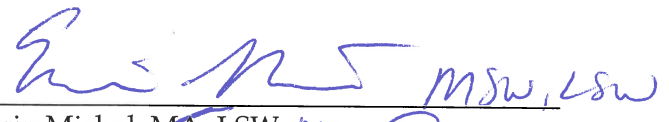
This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43 of the Ohio Revised Code. Pursuant to 42 USC Section 132a-73(b), 5 USC Section 552a, 45 CFR part 61, and Ohio Revised Code Section 3123.41 et seq. the **BOARD** may be required to provide **GIOITTA'S** social security number to requesting governmental agencies.

The **BOARD** shall incorporate this CONSENT AGREEMENT into a formal journal entry at its January 2018, meeting.

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



Peter Gioitta, LPC



Erin Michel, MA, LSW *msw*
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

12/2/17

Date

1-18-18

Date