

MS. TAMBREY COMPLETED THE TERMS OF THE CONSENT AGREEMENT ENTERED INTO WITH THE BOARD REQUIRING A SUSPENSION AND SUPERVISION. COMPLETED 5/20/2005

CONFIDENTIAL

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

This CONSENT AGREEMENT is entered into by and between TAMBREY DELBERT, hereinafter, "DELBERT", 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 thereunder.

DELBERT 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.

DELBERT 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 DELBERT fail to comply with any provisions of this CONSENT AGREEMENT, DELBERT 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. DELBERT is a professional clinical counselor (E-2632) 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. DELBERT received her professional clinical counselor license on March 20, 1998.
2. DELBERT states that she professionally treated Client #1, from December 2001 through April 2002. Client #1 states that DELBERT professionally treated her from December 2001 through July 2003, in DELBERT'S private practice in Zanesville, Ohio. In 2003, DELBERT with the consent of Client #1 rewrote a progress note to remove specific personal issues regarding Client #1 that were discussed in session. This progress note is not accurate and does not fully reflect the services reflected in violation of Ohio Revised Code Section 4757-5-01(I)(1).

3. During the course of treatment, **DELBERT** blurred her professional boundaries with Client #1 by (a) going to church with client #1, (b) allowing Client #1 to stay at her home on numerous occasions, (c) going out to eat with Client #1, (d) shopping for alcohol with Client #1, (e) allowing Client #1 to do **DELBERT'S** housework in lieu of paying for professional services, (f) hiring Client #1 to work with her clients while Client #1 was still a client of **DELBERT'S**, (g) taking some of Client #1's prescription medication, and (i) going to a family function of Client #1's. Entering into multiple relationships with a client are violations of Ohio Revised Code Section 4757.36(A)(1) and Ohio Administrative Code Section 4757-5-01(C)(1) and (C)(2). **DELBERT** believed that she and Client #1 were no longer professionally involved while Client #1 did believe they were still in a counseling relationship.
4. **DELBERT** admits the allegations in paragraphs 1 through 3 above.

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

1. **DELBERT'S** license to practice counseling (E-2632) is hereby **REPRIMANDED**.
2. **DELBERT'S** license to practice counseling (E-2632) is SUSPENDED for one (1) month beginning April 1, 2004.
3. After **DELBERT** serves her suspension and returns to work as a counselor, she must receive face-to face supervision, by an individual pre-approved by the Board, once a month for a period of 1 year. **DELBERT** should not select a supervisor with which she has a prior relationship. If any previous relationship with the supervisor exists, **DELBERT** must provide full disclosure of such a relationship in the request for supervisor approval. The 1-year supervision period will not begin until **DELBERT'S** supervisor is approved by the **BOARD**. Supervision should focus on, but not limited to, **DELBERT'S** role in professional relationships, ethical decision-making, and proper professional practice. **DELBERT'S** supervisor is required to submit a report to the Board, quarterly, detailing topics discussed during supervision sessions, areas of concern, and areas for improvement. At the end of the 1-year supervised period, **DELBERT'S** supervisor will make a final report encompassing the year of supervision. If **DELBERT'S** supervisor is concerned with **DELBERT'S** practice at any time the Board should be notified immediately. It is **DELBERT'S** responsibility to ensure that the Board receives the supervisor's reports. All costs associated with the supervision are at the expense of **DELBERT**.
4. **DELBERT** must take 8 hours of continuing education in the area of professional counselor ethics. These hours must be pre-approved in writing by the Board's Deputy Director or his designee. **DELBERT** should forward information regarding the requested workshops well

in advance of the workshop date in order to receive written approval. **DELBERT** must submit her attendance certificate for these workshops at the completion of each workshop. The credit hours earned from these 8 hours of mandated continuing education may not be used toward the thirty (30) hours of continuing education required for license renewal. All costs associated with the workshops are at the expense of **DELBERT**. These 8 hours of continuing education must be completed by July 1, 2005.

5. **DELBERT'S** supervising counselor status is permanently revoked.

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, **DELBERT** 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. **DELBERT** 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.

If, following notice and an evidentiary hearing, not an Ohio Revised Code Chapter 119 hearing, **DELBERT** is found by the **BOARD** to have violated any terms of this Consent Agreement, the **BOARD** may impose any penalty up to and including REVOCATION of **DELBERT'S** professional clinical counselor license based solely upon a violation of this Consent Agreement. **DELBERT** may not appeal this action.

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

The **BOARD** shall incorporate this CONSENT AGREEMENT into a formal journal entry at its March 19, 2004, meeting.

Consent Agreement between Tambrey Delbert 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:

Tambrey Delbert PhD, LPCC
Tambrey Delbert, PCC

2/22/04
Date

Counsel for Ms. Delbert

Date

per Dan J. Abraham, C.I.S.W.
Michael Davis, PCC
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

3-19-04
Date

Barbara Petrella
Barbara Petrella, Esq.
Assistant Attorney General
Counselor, Social Worker, Marriage and Family Therapist Board

3-19-04
Date