



## *Counselor, Social Worker & Marriage and Family Therapist Board*

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### ADJUDICATION ORDER in the Matter of:

Brooke Suarez  
6601 Upper Valley Pike  
Urbana, OH 43078

IN THE MATTER OF THE ELIGIBILITY OF BROOKE SUAREZ TO MAINTAIN LICENSURE AS A PROFESSIONAL CLINICAL COUNSELOR IN THE STATE OF OHIO.

THE MATTER OF BROOKE SUAREZ CAME BEFORE THE OHIO COUNSELOR, SOCIAL WORKER, AND MARRIAGE AND FAMILY THERAPIST BOARD'S COUNSELOR PROFESSIONAL STANDARDS COMMITTEE ON MARCH 21, 2019. MEMBERS PRESENT WERE DR. MATTHEW PAYLO, RYAN PICKUT AND DR. RAYMOND LOSEY.

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Brooke Suarez by the Counselor, Social Worker, and Marriage and Family Therapist Board on December 3, 2018. An administrative hearing was held on February 14, 2019, in front of Hearing Officer Ronda Shamansky, 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. The State was represented by Senior Assistant Attorney General Melissa L. Wilburn, Esq. Ms. Suarez was not present and was not represented by counsel.

#### State's Exhibits

- A. Notice of Opportunity for Hearing issued to Brooke Suarez on December 3, 2018.
- B. E-mail received by the Board on January 2, 2019, from Ms. Suarez requesting a hearing.
- C. Letters dated January 4, 2019 and January 3, 2019, from the Board to Ms. Suarez acknowledging her request for a hearing and scheduling the hearing on February 14, 2019.

D. Letter dated September 14, 2018, from the Board to Ms. Suarez ordering her to obtain a fitness for duty evaluation by December 1, 2018.

E. Letter dated September 14, 2018, from the Board to the evaluator to conduct Ms. Suarez's fitness for duty evaluation.

F. Letter dated January 29, 2019, from the evaluator stating that Ms. Suarez did not obtain the ordered fitness for duty evaluation.

G. Statement from Ms. Suarez (SEALED – State's Exhibit G)

H-1. Statement from Ms. Suarez (SEALED – State's Exhibit H-1)

H-2. E-mail correspondence between the Board and Ms. Suarez.

I. Medical Records (SEALED)

## DISCUSSION

The Committee reviewed the Hearing Officer Report and Recommendation dated February 25, 2019. The state's exhibits were available for the Committee to review. The respondent did not submit Objections to the Hearing Officer's Report and Recommendations. Based on information received in the course of a Board investigation into Ms. Suarez's professional clinical counselor license, the Board's Counselor Professional Standards Committee ordered Ms. Suarez to a fitness for duty evaluation pursuant to Ohio Administrative Code Section 4757-11-02. This evaluation was ordered to be completed by December 1, 2018. Ms. Suarez did not obtain the ordered evaluation.

## FINDINGS, ORDER, AND JOURNAL ENTRY

The Committee accepts the Findings of Fact and Conclusions of Law contained in the Hearing Officer's Report and Recommendations. With regard to the Recommendations of the Hearing Officer, the Committee modifies this recommendation that not only should Ms. Suarez's professional clinical counselor license be suspended until she completes the ordered evaluation but that the suspension remains in effect until she complies with any requirements, if any, set out in the completed evaluation. **HEREFORE, it is hereby ordered that for the reasons outlined in this Order the licensure of Brooke Suarez (E.0800069) as a professional clinical counselor in Ohio is indefinitely suspended beginning March 21, 2019, with said suspension remaining in effect until Ms. Suarez completes the fitness for duty evaluation and complies with any recommendations set out in that evaluation.** Final authority to lift the suspension is with the Board's Counselor Professional Standards Committee. Ms. Suarez must continue to renew her LPCC and obtain her required continuing education during the period of suspension if she intends to return to practice. This ORDER was approved by unanimous vote of the Counselor Professional Standards Committee who reviewed and voted on this case. It is

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

### **APPEAL RIGHTS**

Ohio Revised Code Section 119.12 may authorize an appeal from this Order. Such an appeal must be commenced by the filing of a Notice of Appeal with the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board and in 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 the party appealing from the order is not a resident of and has no place of business in this state, the party may appeal to the court of common pleas of Franklin County. The Notice of Appeal must set forth the order appealed from and state that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with the law. The Notice of Appeal may, but need not, set forth the specific grounds of the party's appeal beyond the statement that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. Both Notices of Appeal must be filed with the Board and the applicable court within fifteen (15) days after mailing of this notice of the agency's order, and in accordance with the provisions of Ohio Revised Code Chapter 119.12.

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



Brian P. Carnahan, Executive Director  
Date: March 21, 2019

Certified Mail Receipt #7003 0500 0002 4316 3976 and by regular mail

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

REC'D COUNFT BOARD  
DEC 29 '17 4:10:49

This CONSENT AGREEMENT is entered into by and between BROOKE SUAREZ, hereinafter, "**SUAREZ**," 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.

**SUAREZ** 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.

**SUAREZ** 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, 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 **SUAREZ** is a professional clinical counselor (E.0800069)  
. 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. **SUAREZ** received her professional clinical counselor license on October 23, 2013.
- 2 In May 2017, while employed at a mental health agency in Dayton, Ohio **SUAREZ** accessed the medical records of two individuals who were clients of the agency but not clients of **SUAREZ**. **SUAREZ** had no professional connection to these two individuals. **SUAREZ'S** action constitute a violation of client confidentiality pursuant to ORC 4757(C)(1) and OAC 4757-5-02(D)(1).
- 3 **SUAREZ** admits the statements referenced in paragraph 2  
. above.

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

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- 1 **SUAREZ'S** license to practice counseling (E.0800069) is hereby Reprimanded.
- 2 **SUAREZ** must take three (6) hours of continuing counseling education in the area of professional ethics. These hours must be pre-approved in writing by the Board's Deputy Director or his designee. After **SUAREZ** completes these hours, she must submit a copy of her attendance certificate(s) to verify her attendance for these hours. These hours must be completed and verification submitted no later than June 1, 2018. The credit earned from these hours may not be used toward the thirty (30) hours of continuing education required for license renewal. All costs associated with this requirement are at the expense of **SUAREZ**.

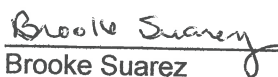
It is hereby agreed by and between both parties that this CONSENT AGREEMENT hereby settles all issues concerning this matter.


By her signature on this CONSENT AGREEMENT, **SUAREZ** 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.* **SUAREZ** 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.

**SUAREZ** 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 January 2018, meeting.

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

  
\_\_\_\_\_  
Brooke Suarez

  
\_\_\_\_\_  
Erin Michel, MSW, LSW

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

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Chair, Counselor, Social Worker, Marriage and Family  
Therapist Board

13 December 2017  
Date

1-18-18  
Date