

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

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**CONSENT AGREEMENT  
BETWEEN  
HOWARD L. GORDON  
AND THE  
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND  
FAMILY THERAPIST BOARD**

This CONSENT AGREEMENT is entered into by and between HOWARD L. GORDON, hereinafter, "GORDON", 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.

GORDON 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.

GORDON 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. Should GORDON fail to comply with any provisions of this CONSENT AGREEMENT, GORDON knowingly waives his 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. GORDON is a independent social worker (11599) 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. GORDON received his social work license on June 20, 1986.
2. On November 14, 2003, the BOARD received a complaint from Beech Brook, Cleveland, Ohio, alleging unprofessional behavior. On January 5, 2004, GORDON, through his legal counsel, responded in writing to the BOARD'S concerns. On January 16, 2004, based on the totality of the evidence, the BOARD ordered GORDON to obtain an evaluation at the Center for Marital and Sexual Health, Inc., Beachwood, Ohio. The BOARD received the results of the evaluation on March 11, 2004, which indicated that GORDON should not be in unsupervised private practice and should continue in treatment.

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Therapist Board

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3. **GORDON 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, **GORDON** knowingly and voluntarily agrees with **BOARD** to the following terms and conditions:

1. **GORDON'S** license to practice social work is hereby **RESTRICTED** in that **GORDON** may not be in independent private practice. **GORDON** may work for an agency as long as he is appropriately supervised and the employers are aware of this Consent Agreement. The supervisor must be pre-approved by the **BOARD**, and the **BOARD** will provide the pre-approved supervisor with a copy of the evaluation from The Center For Marital and Sexual Health, Inc. and a copy of this Consent Agreement. **GORDON** should obtain pre-approval of his proposed supervisor before he begins employment by sending the proposed supervisor's resume or vitae to the **BOARD'S** Deputy Director. The **BOARD** is not responsible for any costs associated with the pre-approved supervision. This restriction may be lifted after **GORDON** is re-evaluated, at his expense at the Center for Marital and Sexual Health, Inc., and the evaluators recommend that **GORDON** be allowed to return to unsupervised private practice. The **BOARD** will make the final determination to lift the restriction.
2. **GORDON** must re-enter therapy with a pre approved mental health provider. **GORDON** must obtain pre approval from the **BOARD** for this provider by submitting the proposed provider's resume or professional vitae to the **BOARD'S** Deputy Director. Any costs associated with therapy are at **GORDON'S** expense. The pre approved provider will provide the **BOARD** with a written summation of treatment every six months. It will be **GORDON'S** responsibility to ensure that the **BOARD'S** Deputy Director receives the written summation. **GORDON** may later petition the **BOARD** to allow him to no longer be required to obtain therapy. The final decision to lift this requirement lies with the **BOARD**.

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**, **GORDON** 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. **GORDON** 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.

If, following notice and an evidentiary hearing, not an Ohio Revised Code Chapter 119 hearing, GORDON 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 GORDON'S independent social work license based solely upon a violation of this Consent Agreement. GORDON may not appeal this action.

GORDON 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 3123.41 et seq, the BOARD may be required to provide GORDON'S social security number to requesting governmental agencies.

The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its May 21 2004 meeting.

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

Howard L. Gordon  
Howard L. Gordon, LISW

3-24-04  
Date

Counsel for Mr. Gordon

Date

Michael Davis  
Michael Davis, LPCC  
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

5-21-04  
Date

Juliane Baird  
Counsel for the Counselor, Social Worker, Marriage and Family Therapist Board

5-21-04  
Date