



Counselor, Social Worker & Marriage and Family Therapist Board

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ADJUDICATION ORDER in the Matter of:

Karen Howard
3310 Yorktown Drive, Apt C
Oregon, OH 43616

IN THE MATTER OF KAREN HOWARD TO BE LICENSED AS A SOCIAL WORKER IN THE STATE OF OHIO.

THE MATTER OF KAREN HOWARD CAME BEFORE THE FOLLOWING MEMBERS OF THE SOCIAL WORKER PROFESSIONAL STANDARDS COMMITTEE OF THE OHIO COUNSELOR, SOCIAL WORKER, AND MARRIAGE AND FAMILY THERAPIST BOARD ON JANUARY 18, 2018: LISA HABERBUSCH, ANDREW BOWERS, ERIN MICHEL ANNA BOMAS AND DR. CARL BRUN.

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Karen Howard by the Social Worker Professional Standards Committee on December 1, 2017.

Pursuant to R.C. 119.07 licensees are entitled to a hearing before the Board if such a hearing is requested within thirty days of the mailing of the Notice of Opportunity for Hearing. In this case, Ms. Howard failed to make a timely request for such a hearing, therefore pursuant to *Goldman v. State Medical Board*, 110 Ohio App.3d 124, 673 N.E.2d 677 (1996) the case was presented to the Social Work Professional Standards Committee on January 18, 2018.

Summary of Evidence

State's Exhibits

1. Affidavit prepared by William L. Hegarty, Deputy Director, State of Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.
2. Notice of Opportunity for Hearing to Ms. Howard dated December 1, 2017.

3. Consent Agreement dated July 20, 2017, pertaining to Ms. Howard
4. E-mail dated November 6, 2017, from the Board to Ms. Howard.

Conclusions of Law

O.R.C. Section 4757.36(C)(1) states that the Social Worker Professional Standards Committee can discipline a licensee for violating a provision of the Ohio Administrative Code. Ohio Administrative Code Section 4757-11-01(C)(21) states that the Board may discipline a licensee who has failed to adhere to any conditions set forth in a Board approved consent agreement. On July 20, 2017, the Board and Ms. Howard entered into a consent agreement where Ms. Howard was required to provide the Board with the name, contact information and professional resume or vitae of her mental health provider by August 1, 2017, for approval. Ms. Howard did not provide the required information.

Discussion and Findings

As required in the case of *Goldman v. State Medical Board*, 110 Ohio App.3d 124, 673 N.E.2d 677 (1996) all cases where a Board issues a Notice for Opportunity for Hearing and the individual does not request a hearing, the Board still must review evidence presented to it and make specific findings of fact. In this case, Karen Howard did not request a hearing after receipt of her Notice for Opportunity for Hearing.

The Social Worker Professional Standards Committee has reviewed the evidence prepared in this case. The Committee finds that Karen Howard failed to comply the conditions set forth in a Board approved consent agreement. Based on this, the Committee orders that Ms. Howard's social work license (S.1302274) is **revoked**. As Ordered by the Social Worker Professional Standards Committee of the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.

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 licensee is a resident. If the party appealing from the order is not a resident of any County, 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 received at the office of the Board and filed with 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

January 19, 2018
Date

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

This CONSENT AGREEMENT is entered into by and between KAREN J. HOWARD, hereinafter, "**HOWARD**," 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.

HOWARD 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.

HOWARD 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, admissions and understandings:

1. **HOWARD** is a social worker (S.1302274) 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. **HOWARD** received her social work license on March 29, 2013.
2. In April 2017, the Board received a complaint regarding **HOWARD'S** social work license. In April and May 2017, the **BOARD** requested a meeting to discuss the specifics of the complaint. When **HOWARD** did not respond to these requests, the **BOARD** set a meeting with her at the Board offices on May 15, 2017. **HOWARD** did not appear for this meeting nor communicate with the **BOARD** concerning it. **HOWARD'S** non-cooperation in the investigation regarding her license constitutes a violation of Ohio Revised Code Section 4757.36(C)(1) and Ohio Administrative Code Sections 4757-11-01(C)(18).

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

1. **HOWARD'S** license to practice as a social worker (S.1302274) is hereby **REPRIMANDED**.
2. **HOWARD** must receive personal counseling from a **BOARD** approved mental health practitioner for a period of eighteen (18) months. **HOWARD** is required to meet with this mental health practitioner for a minimum of two (2) one hour sessions a month. All costs associated with this counseling are at **HOWARD'S** expense. **HOWARD** must submit the name, contact information, and professional resume or vitae to the **BOARD'S** Deputy Director no later than August 1, 2017, to obtain pre-approval per this requirement. Once approved, the practitioner with provide the **BOARD** with quarterly reports detailing issues discussed in counseling and other issues the practitioner deems appropriate. At the end of the eighteen months of mandated counseling period, the practitioner shall provide the **BOARD** with a report encompassing the overall counseling period. It is **HOWARD'S** responsibility to ensure the Board obtains the reports in a timely manner.
3. Should **HOWARD** not fully comply with all requirements of this **CONSENT AGREEMENT**, the **BOARD** may 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 her signature on this **CONSENT AGREEMENT**, **HOWARD** 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. **HOWARD** 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.

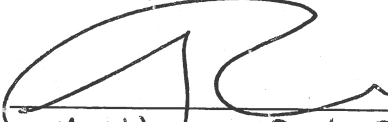
HOWARD hereby releases the members of the **BOARD**, its officers and employees, jointly and severally, from any and all liability arising from the matter within.

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 July 2017, meeting.

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



Karen J. Howard



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

June 14 2017

Date

7/20/17

Date