

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

CSWMFTB

2016 SEP -7 P 1:49

This CONSENT AGREEMENT is entered into by and between DELLA L. KESTERKE, hereinafter, "**KESTERKE**," 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.

KESTERKE 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.

KESTERKE 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. **KESTERKE** is a social work assistant (W.0011095) registered to practice as a social work assistant 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. **KESTERKE** received her social work assistant registration on March 21, 1992.
2. **KESTERKE** renewed her social work assistant registration through March 21, 2018. In April 2016, **KESTERKE** was audited for compliance with continuing education requirements. **KESTERKE** was unable to provide proof of the 30 hours needed to have renewed her registration. **KESTERKE'S** failure to comply with the audit requirement constitutes a violation of Ohio Revised Code Section 4757.36(C) (1) and Ohio Administrative Code Section 4757-11-01 (C)(20)(b).
3. **KESTERKE** 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, **KESTERKE** knowingly and voluntarily agrees with the **BOARD** to the following terms and conditions:

The **BOARD** will allow **KESTERKE** to surrender her social work assistant registration in lieu of other potential disciplinary action.

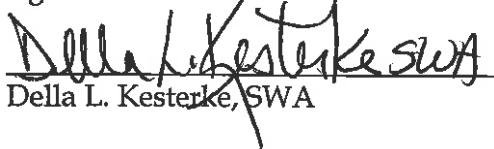
It is hereby agreed by and between both parties that this **CONSENT AGREEMENT** hereby settles all issues concerning this matter.

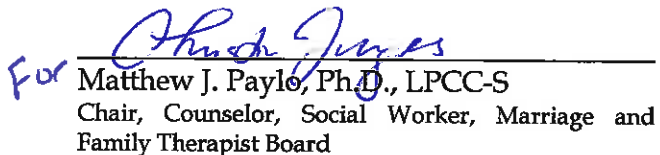
By her signature on this **CONSENT AGREEMENT**, **KESTERKE** acknowledges that in the event the **BOARD**, in its discretion, does not approve this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **KESTERKE** 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.

KESTERKE 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 September 2016, meeting.

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


Della L. Kesterke, SWA

For 
Matthew J. Payle, Ph.D., LPCC-S
Chair, Counselor, Social Worker, Marriage and
Family Therapist Board

9.5.16
Date

9-22-16
Date