

Terms of the consent agreement  
complete as of 4/10/2000

**CONSENT AGREEMENT  
BETWEEN  
RODNEY W. DURGIN  
AND THE  
OHIO STATE COUNSELOR AND SOCIAL WORKER BOARD**

This CONSENT AGREEMENT is entered into by and between RODNEY W. DURGIN hereinafter ("DURGIN") and the OHIO STATE COUNSELOR AND SOCIAL WORKER BOARD hereinafter ("BOARD"), the state agency charged with enforcing Chapter 4757 of the Ohio Revised Code, and all rules promulgated thereunder.

DURGIN 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.

DURGIN 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.

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. DURGIN is a counselor 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 R.C. 4757.
2. On January 12, 1996, the Board issued a Notice for Opportunity of Hearing to DURGIN which alleged that Durgin violated the following provisions:

Count 1(a) - holding himself out as a counselor from March 11, 1994 through September 1995, on an expired counselor license;

Count 1(b) on or about March 11, 1994 through February 6, 1995, providing supervision to a counselor trainee when DURGIN in fact did not have a current license to practice as a counselor;

Count 1(c) on or about March 11, 1994 through September 1995, DURGIN continued to use the abbreviation or title Licensed Professional Counselor ("LPC") while on a lapsed license.

The acts, conduct and/or omissions as alleged are in violation of Ohio Revised Code 4757.02(A), Ohio Revised Code 4757.13(A), Ohio Administrative Code 4757-19-01(D), 4757-23-02, 4757-27-01(C)(1) and 4757-21-01, Code of Ethics, specifically Sections A(2), A(3) of the American Association for Counseling and Development.

3. **DURGIN** admits the allegations in Counts 1(a), (b) and (c) of the January 12, 1996 Notice for Opportunity of Hearing referenced in paragraph 2 above.
4. On or about November 1995, **DURGIN** passed the Ohio Licensed Professional Counselor examination.
5. On or about September 1996, **DURGIN's** license to practice as an LPC was renewed by the **BOARD**.

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

- A. **DURGIN's** license to practice counseling shall be suspended for ninety (90) days with ninety (90) days of the suspension stayed if **DURGIN** completes one graduate level course in counseling dealing with professional responsibility which is preapproved by the Board.
- B. If **DURGIN** fails to complete the graduate level course referenced in paragraph A above by December 1997 the **BOARD** will issue a Notice for Opportunity for Hearing alleging that **DURGIN** is in violation of this **CONSENT AGREEMENT**. Pursuant to R.C. 119, *et seq.*, if the **BOARD** finds that **DURGIN** is in violation of the agreement, the **BOARD** may impose the ninety-day suspension referenced in paragraph A above.

It is hereby agreed by and between both parties that this **CONSENT AGREEMENT** hereby settles all issues contained in the January 12, 1996 Notice of Opportunity for Hearing issued to **RODNEY W. DURGIN**.

By his signature on this **AGREEMENT**, **DURGIN** agrees 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. **DURGIN** 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.

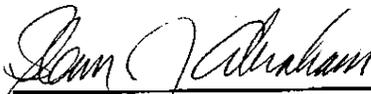
DURGIN hereby releases the members of the BOARD, its officers and employees jointly and severally, from any and all liability arising from the within matter.

This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code.

The BOARD shall incorporate this CONSENT AGREEMENT into a formal Journal Entry at its January 1997 meeting.

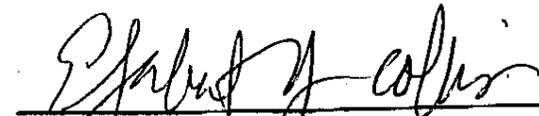
This CONSENT AGREEMENT shall take effect thirty days after the last signature below:

THE OHIO STATE COUNSELOR AND  
SOCIAL WORKER BOARD



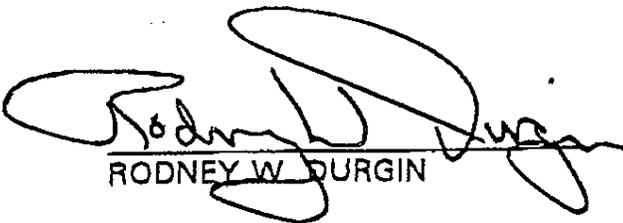
GLENN ABRAHAM  
Chair, Counselor and Social Worker Board

1-17-97  
DATE



ELIZABETH Y. COLLIS  
Assistant Attorney General  
Counsel for Counselor and Social  
Worker Board

1/21/97  
DATE



RODNEY W. DURGIN

Jan. 15, 1997  
DATE



KEVIN L. SHOEMAKER  
Counsel for Rodney W. Durgin

1/17/97  
DATE

durgin.set