

Oct 10 '01

**CONSENT AGREEMENT
BETWEEN
ANDREW GUIDO
AND THE
STATE OF OHIO COUNSELOR AND SOCIAL WORKER BOARD**

This CONSENT AGREEMENT is entered into by and between ANDREW GUIDO, hereinafter, "**GUIDO**", and the STATE OF OHIO 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.

GUIDO 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.

GUIDO 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. **GUIDO** is a professional counselor (C-4874) 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. **GUIDO** received his counseling license on January 16, 1993.

2. From December 1999, through April 2000, and from February 2001, through June 2001, while **GUIDO** was employed at PsyCare, Inc., Warren, Ohio, he professionally counseled Client #1, a female client. From February 2001 through June 2001, **GUIDO** acted outside the scope of practice of a professional counselor by not obtaining the required professional clinical supervision while treating Client #1 as required under Ohio Administrative Code Section 4757-15-01(A). **GUIDO'S** conduct is a violation of Ohio Revised Code Section 4757.36(A)(8).
3. During the February 2001 through June 2001, period that **GUIDO** counseled Client #1, he blurred his professional boundaries by agreeing to escort Client #1 down the aisle at Client #1's wedding. **GUIDO'S** conduct is a violation of Ohio Revised Code Section 4757.36(A)(1) and Ohio Administrative Code Section 4757-5-01.
4. **GUIDO** admits the statements referenced in paragraphs 1 through 3 referenced above.

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

1. **GUIDO** is hereby **REPRIMANDED** by the **BOARD** for violating the Ohio Revised Code Section referenced in paragraphs 2 and 3 above. Such Reprimand will be recorded in **GUIDO'S** permanent licensure file with the **BOARD**.

2. **GUIDO** will take and pass a graduate level counseling ethics course from an accredited university. This course must be pre-approved by the **BOARD** and taken for credit. At the completion of this course, **GUIDO** will ensure an official transcript is sent directly from the university to the **BOARD**. **GUIDO** will contact the Investigative Supervisor to obtain pre-approval of the course. The described course must be completed by January 1, 2003. The hours obtained from this course will not be used by **GUIDO** to renew his professional counselor license.

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, **GUIDO** 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. **GUIDO** 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.

Should **GUIDO** fail to comply with any provisions of this CONSENT AGREEMENT, **GUIDO** knowingly waives his rights under ORC Chapter 119. Following notice and an evidentiary hearing, not an Ohio Revised Code Chapter 119 hearing, if **GUIDO** 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 **GUIDO'S** professional counselor license based solely upon a violation of this Consent Agreement. **GUIDO** may not appeal this action.

GUIDO 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 Section 2301.373(E), the **BOARD** may be required to provide **GUIDO'S** social security number to requesting governmental agencies.

The **BOARD** shall incorporate this CONSENT AGREEMENT into a formal journal entry at its November 2001, meeting.

This CONSENT AGREEMENT shall take effect upon the date of the last signature below:

THE OHIO COUNSELOR AND
SOCIAL WORKER BOARD

Andrew Guido
Andrew Guido

Jane Daroff LISW
Jane Daroff, LISW
Chair, Counselor and Social Worker Board

10/6/01
Date

Dennis Haines
Dennis Haines, Esq.
Counsel for Mr. Guido

10/6/01
Date

11/16/01
Date

Barbara Petrella
Barbara Petrella, Esq.
Assistant Attorney General
Counselor and Social Worker Board

11-16-01
Date