

MS. DIFRANCO BLURRED HER PROFESSIONAL BOUNDARIES BY INVITING A CLIENT TO HER HOME FOR CHRISTMAS DINNER IN DECEMBER, 2007. THIS ACTION CONSTITUTES A VIOLATION OF O.A.C. 4757-5-02 (A) (2). Terms of the consent agreement are complete as of 10/6/2008

**CONSENT AGREEMENT
BETWEEN
ELENA DIFRANCO
AND THE
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD**

This CONSENT AGREEMENT is entered into by and between **ELENA DIFRANCO**, hereinafter, “**DIFRANCO**” 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.

DIFRANCO 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. **DIFRANCO** 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. Should **DIFRANCO** fail to comply with any provisions of this CONSENT AGREEMENT, **DIFRANCO** knowingly waives her 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 and, understandings:

1. **DIFRANCO** is a professional clinical counselor (E-0002344) 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 Section 4757 and Ohio Administrative Code Chapter 4757. **DIFRANCO** received her clinical counselor license on January 17, 1997.
2. **DIFRANCO** blurred her professional boundaries by inviting a client to her home for Christmas dinner in December 2007. This action constitute a violation of O.R.C. 4757.36 (A) (1) and O.A.C. 4757-5-02 (A) (2).
3. **DIFRANCO** admits the allegations referenced in paragraph 2.

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

1. **DIFRANCO'S** license to practice counseling (E-0002344) is **REPRIMANDED**.
2. **DIFRANCO** must take an additional twelve (12) hours in counselor ethics continuing education. All hours must be pre-approved by the Board's Deputy Director or his designee. Once **DIFRANCO** successfully completes this continuing education, **DIFRANCO** must send verification directly to the attention of the Investigation Unit at the Board office. The certificates verifying completion are due in the Board office no later than October 16, 2008. The credit earned from the workshops may not be used toward the thirty (30) hours of continuing education required for license renewal. All costs associated with the continuing education are at the expense of **DIFRANCO**.

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, **DIFRANCO** 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. **DIFRANCO** 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.

DIFRANCO 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 **DIFRANCO'S** social security number to requesting governmental agencies.

The **BOARD** shall incorporate this CONSENT AGREEMENT into a formal journal entry at its May 16, 2008, meeting.

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

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

Elena DiFranco MA, LPCC

Elena DiFranco, PCC

5-13-2008

Date

Kenneth E. Trivison

Kenneth E. Trivison, PCC, IMFT
Chair, Counselor, Social Worker,
Marriage and Family Therapist Board

5-15-08

Date

P.R. Casey IV

Peter R. Casey IV, Esq.
Assistant Attorney General
Counselor, Social worker, Marriage and
Family Therapist Board

5-15-08

Date