

Mr. Marzano completed the terms of the consent agreement as of 7/21/2006

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

This CONSENT AGREEMENT is entered into by and between JOSEPH MARZANO, hereinafter, "MARZANO", 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 thereunder.

MARZANO 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.

MARZANO 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. Should MARZANO fail to comply with any provisions of this CONSENT AGREEMENT, MARZANO knowingly waives his 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, admissions and understandings:

1. MARZANO is a professional clinical counselor (E-2598) 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 and Ohio Administrative Code Chapter 4757. MARZANO received his professional clinical counselor license on January 9, 1998.
2. MARZANO was employed at Comprehensive Behavioral Health Associates, Inc, Austintown, Ohio, as the clinical director from 1998 until 2003. During this period of time, MARZANO (1) failed to take reasonable steps to ensure that client documentation in records was accurate and reflected the services provided, and (2) did not include sufficient and timely documentation in records to facilitate the delivery of services and to ensure continuity of services provided to the client in the future, with regard to multiple clients in violation of Ohio Revised Code Section 4757.36(A)(1) and Ohio Administrative

Code Section 4757-5-01(I)(1) through (I)(2).

3. **MARZANO ADMITS** the allegations referenced in paragraphs 1 and 2 referenced above.

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

1. **MARZANO'S** license to practice counseling (E-2598) is Reprimanded.
2. **MARZANO'S** Counseling Supervisor Designation is permanently revoked.
3. **MARZANO** must receive face-to face supervision, by an individual pre-approved by the Board, one-hour every week for a period of 2 years. **MARZANO** should not select a supervisor with which he has a prior relationship. If any previous relationship with the supervisor exists, **MARZANO** must provide full disclosure of such a relationship in the request for supervisor approval. The 2-year supervision period will not begin until **MARZANO'S** supervisor is approved. Supervision should focus on, but not limited to, **MARZANO'S** role in professional relationships, ethical decision-making, and proper record keeping. **MARZANO'S** supervisor is required to submit a report to the Board, quarterly, detailing topics discussed during supervision sessions, areas of concern, and areas for improvement. At the end of the 2-year supervised period, **MARZANO'S** supervisor will make a final report encompassing the 2 years of supervision. If **MARZANO'S** supervisor is concerned with **MARZANO'S** practice at any time the Board should be notified immediately. It is **MARZANO'S** responsibility to ensure that the Board receives the supervisor's reports. All costs associated with the supervision are at the expense of **MARZANO**.
4. **MARZANO** must take and pass a graduate level ethics course. The course must be taken for credit, part of a counseling program from an accredited university, and pre-approved by the Board. Once **MARZANO** successfully completes this course, **MARZANO** must ensure official transcripts are sent directly from the university to the attention of the Investigation Unit at the Board office. The transcript verifying completion is due in the Board office no later than January 31, 2006. The credit earned from the course may not be used toward the thirty (30) hours of continuing education required for license renewal. All costs associated with the course are at the expense of **MARZANO**.

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

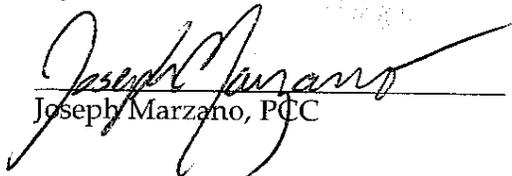
By his signature on this CONSENT AGREEMENT, MARZANO acknowledges that in the event the BOARD, in its discretion, does not approve this CONSENT AGREEMENT, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal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

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

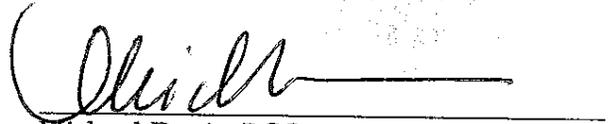
This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43 of the Ohio Revised Code. Pursuant to 42 USC Section 132a-73(b), 5 USC Section 552a, 45 CFR part 61, and Ohio Revised Code 3123.41 et seq, the BOARD may be required to provide MARZANO'S social security number to requesting governmental agencies.

The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its May 21, 2004, meeting.

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


Joseph Marzano, PCC

5-11-04
Date


Michael Davis, PCC
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

5-21-04
Date

Counsel for Mr. Marzano

Date


Juliane E. Barone, Esq.
Assistant Attorney General
Counselor, Social Worker, Marriage and Family Therapist Board

Date