

WHILE EMPLOYED IN PRIVATE PRACTICE IN MASON, OHIO, MS. KELLEY VIOLATED HER PROFESSIONAL BOUNDARIES, BETWEEN SEPTEMBER 2008 AND DECEMBER 2008, BY PROVIDING A CUSTODY RECOMMENDATION FOR A CLIENT WITH WHOM SHE HAD A THERAPEUTIC RELATIONSHIP. THIS ACTION CONSTITUTES A VIOLATION OF ORC 4757.36 (A)(1) AND OAC 4757-6-01 (F). ON AUGUST 2, 2010, MS. KELLEY COMPLETED THE REQUIREMENTS OF THE CONSENT AGREEMENT

**CONSENT AGREEMENT  
BETWEEN  
DARLENE KELLEY  
AND THE**

**STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND  
FAMILY THERAPIST BOARD**

This CONSENT AGREEMENT is entered into by and between **DARLENE KELLEY**, hereinafter, "**KELLEY**" 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.

**KELLEY** 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.

**KELLEY** 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 **KELLEY** fail to comply with any provisions of this consent agreement, the Board, in its discretion, may initiate further disciplinary action pursuant to OAC 4757-11-01C(21).

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. **KELLEY** is a clinical counselor (E-0002820) 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. **KELLEY** received her clinical counselor license on September 25, 1998.
2. While employed in private practice in Mason, Ohio, **KELLEY** violated her professional boundaries, between September 2008 and December 2008, by providing a custody recommendation for a client with whom she had a therapeutic relationship. This action constitutes a violation of O.R.C. 4757.36 (A) (1) and O.A.C. 4757-6-01 (F).
3. **KELLEY** admits the allegation 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, **KELLEY** knowingly and voluntarily agrees with the **BOARD** to the following terms and conditions:

1. **KELLEY** must work under monitoring for four (4) months with a minimum of one hour of face-to-face monitoring per week or two hours of face-to-face monitoring, two times per month, beginning on the date that the monitor is approved. The monitor must be pre-approved by the Board Deputy Director or his designee. **KELLEY** is responsible to submit the monitor's information for approval. The monitor must submit quarterly reports regarding the monitoring. Monitoring should focus on, but not be limited to, areas of concern, areas for improvement, increased ability to critically and objectively conceptualize client cases, and understanding role as a counselor, in contrast to other roles. Quarters consist of the following dates: Jan.-Mar, Apr.-Jun., Jul.-Sept., and Oct.-Dec. In order to meet the requirements of this agreement the reports must be received for each quarter. If **KELLEY'S** monitor is concerned with **KELLEY'S** practice at any time the Board should be notified immediately. **KELLEY** is responsible for the submission of the reports to the Board. All costs associated with the monitoring is the responsibility of **KELLEY**. Once **KELLEY** successfully completes this monitoring, **KELLEY** must ensure verification of completion is sent to the attention of the Investigation Unit at the Board office, in order to meet the terms of this agreement..
2. **KELLEY** must take an additional six (6) hours in counselor ethics continuing education. All hours must be pre-approved by the Board's Deputy Director or his designee. Once **KELLEY** successfully completes this continuing education, **KELLEY** 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 March 2010. 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 **KELLEY**.

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, **KELLEY** 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. **KELLEY** 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

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

review and discussion of this CONSENT AGREEMENT or of any information relating thereto.

KELLEY 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 KELLEY'S social security number to requesting governmental agencies.

The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its November, 2009, meeting.

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

Darlene Kelley PCC UCDC  
Darlene Kelley, PCC

10/27/09  
Date

Susan Norris Huss  
Susan Norris Huss, Ph.D., PC  
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

11/20/09  
Date

Leah V. B. O'Carroll, Esq.  
Leah V. B. O'Carroll, Esq.  
Assistant Attorney General  
Counselor, Social Worker, Marriage and Family Therapist Board

11/20/09  
Date