

**CONSENT AGREEMENT  
BETWEEN  
MARK R. MCCARTHY  
AND THE  
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND  
FAMILY THERAPIST BOARD**

CSWMFTB

2013 FEB 12 P 1:21

This CONSENT AGREEMENT is entered into by and between MARK R. MCCARTHY, hereinafter, "MCCARTHY," 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.

MCCARTHY 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.

MCCARTHY 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, based on the Board's investigation, 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. MCCARTHY is a professional clinical counselor with the supervision designation (E.0003902) 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. MCCARTHY received his professional clinical counselor license on January 17, 2003.
2. In 2011, while employed as a professional clinical counselor in Columbus, Ohio, MCCARTHY began an inappropriate relationship with a client that was ending therapy with him. The relationship ended after about two months and he has had no communication with the client since then. MCCARTHY confessed his inappropriate relationship to his supervisor in December 2012. MCCARTHY'S actions constitute a violation of Ohio Revised Code Section 4757.36(C)(1) and Ohio Administrative Code Section 4757-5-04(A)
3. MCCARTHY admits the statements referenced in paragraph 2 referenced above.

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

1. **MCCARTHY'S** license to practice as a professional clinical counselor is suspended for three (3) years beginning on March 23, 2013, and ending March 23, 2016. If **MCCARTHY** wants to re-enter the profession after the terms of his suspension are over, he must have complied with all renewal requirements with regard to his professional clinical counselor license.
2. **MCCARTHY** must receive personal counseling from an independently licensed mental health practitioner for a period of two (2) years, no less than two times a month, with the expectation that this will be every other week. This mental health practitioner must be pre-approved in writing by the **BOARD**. All costs associated with this counseling are at **MCCARTHY'S** expense. **MCCARTHY** must submit the name, contact information, and professional resume or vitae to the **BOARD'S** Deputy Director no later than April 1, 2013, to obtain pre-approval. Once approved, the practitioner will provide the **BOARD** with quarterly reports detailing issues discussed in counseling, professional ethics, boundaries and responsibilities, and other issues the practitioner deems appropriate. Both **MCCARTHY** and the approved mental health practitioner understand that confidentiality is waived between the mental health practitioner and the **BOARD**. At the end of the two year mandated counseling period, the practitioner shall provide the **BOARD** with a report encompassing the overall counseling period. It is **MCCARTHY'S** responsibility to ensure the Board obtains the reports in a timely manner.

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, **MCCARTHY** 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. **MCCARTHY** 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.

**MCCARTHY** 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**

---

Consent Agreement between Mark R. McCarthy and the State of Ohio Counselor, Social Worker, Marriage and Family Therapist Board

---

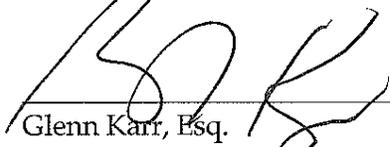
may be required to provide MCCARTHY'S social security number to requesting governmental agencies.

The **BOARD** shall incorporate this CONSENT AGREEMENT into a formal journal entry at its March 2013, meeting.

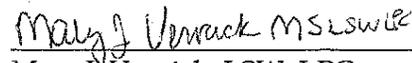
This CONSENT AGREEMENT shall take effect upon the date of the Board Chair's signature below:

  
\_\_\_\_\_  
Mark R. McCarthy, LPCC

2/6/13  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Glenn Karr, Esq.  
Counsel for Mr. McCarthy

2/11/13  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mary J. Venrick, LSW, LPC  
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

3/21/13  
\_\_\_\_\_  
Date