

CSWMFTB

2005 SEP 23 P 2: 03

**CONSENT AGREEMENT  
BETWEEN  
DAVID J. FORMAN  
AND THE  
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND  
FAMILY THERAPIST BOARD**

This CONSENT AGREEMENT is entered into by and between DAVID J. FORMAN, hereinafter, "**FORMAN**", 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.

**FORMAN** 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.

**FORMAN** 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. **FORMAN** is an independent social worker (I-0009604) licensed to practice social work in the State of Ohio, and is subject to the laws and rules of Ohio regulating the practice of social work as outlined in Ohio Revised Code Chapter 4757 and Ohio Administrative Code Chapter 4757. **FORMAN** received his social work license on November 22, 2002.
2. **FORMAN** allowed his social work license to lapse on November 22, 2004, and he continued to practice social work on the lapsed license until June 15, 2005. The attached documents consisting of five pages are made an official attachment of this Consent Agreement – Electronic mail communications of April 14, 2005, and May 2, 2005; a letter dated July 12, 2005; and a fax transmission cover letter. Practicing on a lapsed license constitutes a violation of Ohio Revised Code Section

4757.36(A)(1) and Ohio Administrative Code Section 4757-7-02.

3. **FORMAN ADMITS** the allegation referenced in paragraph 2 above.

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

1. **FORMAN'S** license to practice social work is hereby **REPRIMANDED**.

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**, **FORMAN** 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. **FORMAN** 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.

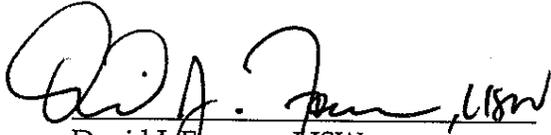
**FORMAN** hereby releases the members of the **BOARD**, its officers and employees, jointly and severally, from any and all liability arising from the matter within.

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 3123.41 et seq. the **BOARD** may be required to provide **FORMAN'S** social security number to requesting governmental agencies.

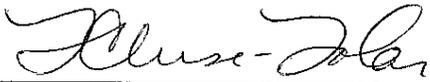
The **BOARD** shall incorporate this **CONSENT AGREEMENT** into a formal journal entry at its September 30, 2005, meeting.

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

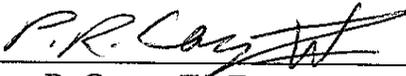
THE OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST BOARD

  
\_\_\_\_\_  
David J. Forman, LISW

September 22, 2005  
Date

  
\_\_\_\_\_  
Theresa Cluse-Tolar, Ph.D., LISW  
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

9/30/05  
Date

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

9/30/05  
Date

**From:** "Powrie, Brian" <Brian.Powrie@cswb.state.oh.us>  
**To:** "David Forman" <FormanD@mh.state.oh.us>  
**Date:** 4/14/05 11:06AM  
**Subject:** RE: lapsed license

David:

Are you practicing with your license now? In a position where you require one?

Brian C. Powrie  
Customer Service Assistant  
State of Ohio CSWMFT Board  
www.cswmft.ohio.gov  
brian.powrie@cswb.state.oh.us

> -----

> From: David Forman  
> Sent: Thursday, April 14, 2005 10:50 AM  
> To: Powrie, Brian  
> Subject: RE: lapsed license

>

> Brian,  
> Thank you for responding so soon to me e-mail. My address is...

>

> David J. Forman  
> 449 Park Blvd.  
> Worthington, OH 43085

>

> My license # is 19604 and it was issued to me on 11/22/2002.

>

> Thanks again!

> DF

>

> This message, including any attachments, is intended solely for the use  
> of the named recipient(s) and may contain confidential and privileged  
> information. Any unauthorized review, use, disclosure, or distribution  
> of this communication is expressly prohibited. If you are not the  
> intended recipient, please contact the sender by reply e-mail or at the  
> telephone number listed below. Thank you.

>

> David J. Forman, LISW  
> Legal Assurance Administrator  
> Court Liaison

>

> Twin Valley Behavioral Healthcare  
> 2200 West Broad Street  
> Columbus, OH 43223-1297  
> 614-752-0333 ext.5216  
> fax 614-995-1880  
> FormanD@mhmail.mh.state.oh.us

>

> >>> "Powrie, Brian" <Brian.Powrie@cswb.state.oh.us> 04/14/05 7:30 AM

> >>>

> You can go ahead and e-mail me your new address so I can change it for  
> you. What is your license number or your name so I can look into what  
> steps you need to take to bring your license up to speed.

>  
> Brian C. Powrie  
> Customer Service Assistant  
> State of Ohio CSWMFT Board  
> www.cswmft.ohio.gov  
> brian.powrie@cswb.state.oh.us

>  
> > -----  
> > From: Kimburley Forman  
> > Sent: Wednesday, April 13, 2005 9:15 PM  
> > To: CSWMFT Info  
> > Subject: lapsed license

> >  
> > Hello,  
> >  
> > What are the appropriate steps to take when one realizes that their  
> license has recently lapsed? Also, how does one go about informing the  
> Board that they have moved and now have a new address?

> >  
> > Thanks,  
> > Dave

> >  
>  
>

**From:** "Powrie, Brian" <Brian.Powrie@cswb.state.oh.us>  
**To:** <FormanD@mh.state.oh.us>  
**Date:** 5/2/05 2:34PM  
**Subject:** Renewal

July 12, 2005

Ms. Tammy Tingle, Investigator  
State of Ohio, Counselor, Social Worker and  
Marriage & Family Therapist Board  
77 South High Street, 16<sup>th</sup> Floor  
Columbus, Ohio 43215  
(fax) 728-7790

**RE: David J. Forman, LISW**  
**License Number: 19604 (OH)**  
**LCS 20991 (CA)**

Dear Tammy:

With regards to our recent telephone conversation, I've compiled a brief synopsis of what has transpired to lead to this unfortunate circumstance of having my license lapse. Let me stress that this summary is in no way, a way to place blame on any thing other than myself, for it is me and me alone, who is fully responsible for having this lapse occur. By writing this, I am only hoping to shine a light from my perspective and for you and the Board to simply take these events into consideration when making your ruling.

After moving from Los Angeles to Columbus in October of 2002 and obtaining my Ohio licensure in November of 2002, I secured employment at both Mt. Carmel St. Ann's Hospital in November 2002 and the following month at Twin Valley Behavioral Healthcare. In January of 2003, my wife and I bought our first home and began adjusting to our new lives in Central Ohio. Later that year, my wife was involved in a serious auto accident in Syracuse, New York. After recovering from this accident, we found out that we we're now expecting our first child (who was born in May of 2004). At that exact time, I was promoted into a new position at TVBH, of which I currently maintain. This new position required that I become a Notary Public, which meant that I studied for an exam that I successfully passed in August of 2004. In retrospect, this would've been the right time to organize my CEU's, contact the Board and arrange my finances so that my license would be renewed on time.

In April of this year, I (luckily) happened to be perusing the Boards website when I discovered that my license had lapsed five months earlier. I immediately contacted Mr. Brian Powrie via e-mail to inform him of what I had discovered and asked for his advice on how best to handle this situation. I then proceeded to actively begin the process of renewing this license in order to get it back to an Active status.

This has been a very unfortunate (and somewhat embarrassing) ordeal for me. I respectfully ask that the Board take into consideration the aforementioned events and allow me to continue to work in a profession that makes me so much of who I am today.

Please do not hesitate to contact me at (614) 570-4669 if you have any questions or concerns regarding this matter.

Respectfully submitted,

  
David J. Forman, LISW

Transaction Report

Send

Transaction(s) completed

No.	TX	D/Time	Destination	Duration	P.#	Result	Mode
019	JUL-12	12:58	1 614 728 7790	0'00'40"	002	OK	N ECM

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*The information that is being transmitted is confidential, and  
 unauthorized parties must not review it. It must be immediately given to  
 the person listed as the recipient.*  
 -----

**TVBH - CC**  
**Twin Valley Behavioral Healthcare-Columbus Campus**  
**2200 West Broad Street**  
**Columbus, Ohio 43223-1297**

*Legal Assurance Department  
 (614) 752-0333, extension 5216  
 Fax: (614) 995-1880*

Date: 7/12/05

7/14: LM Tammy to confirm receipt

To: Tammy Tingle, Investigator

Fax #: 728-7790

From: David J. Forman, LISW

Re: letter for my file  
\_\_\_\_\_  
\_\_\_\_\_

Total Pages (including cover letter): 2 pages

Time sent: 1:52

Comments: