

CONSENT AGREEMENT
BETWEEN
JAMES S. PRAGER
AND THE
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST BOARD

This CONSENT AGREEMENT is entered into by and between JAMES S. PRAGER, hereinafter, "PRAGER", 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.

PRAGER 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.

PRAGER 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:

- A. On or about March 5, 2010, PRAGER applied for licensure as a social worker in Ohio. As part of that process, PRAGER completed a FBI/BCII criminal background check. In 1991, PRAGER was convicted of criminal sexual conduct, a first degree felony, in the state of Michigan and was incarcerated for 9 years. PRAGER has not had any criminal convictions since. PRAGER is listed on the Sexual Offender Registry.
- B. PRAGER admits the statements referenced in paragraph 1 above.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any other formal disciplinary proceedings, PRAGER knowingly and voluntarily agrees with the BOARD to enter into this CONSENT AGREEMENT. Upon ratification of this CONSENT AGREEMENT, PRAGER shall be granted a license to practice social work in Ohio. PRAGER agrees that his license to practice social work in Ohio shall be subject to the following terms, conditions and limitations:

1. PRAGER shall obey all federal, state, and local laws including the law and rules governing the practice of social work in Ohio.
2. PRAGER shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. PRAGER must remain in compliance with all requirements of the Sexual Offender Registry.

PRACTICE RESTRICTIONS

4. PRAGER must inform all supervisors and/or employers of this CONSENT AGREEMENT and must also provide them a copy of this CONSENT AGREEMENT.
5. Each time and with every employer, PRAGER must report to the Board, in writing, the name and address of his employer. PRAGER must notify the Board within fifteen (15) days of any change in employment.

PERMANENT PRACTICE RESTRICTIONS

PRAGER further knowingly and voluntarily agrees with the BOARD to the following pediatric restrictions:

6. PRAGER shall not work in a social work position providing individual or group professional services to pediatric patients/clients. *For purposes of this Consent Agreement, pediatric patients/clients shall include patients/clients under the age of 18, and between the ages of newly born through age 17.*
7. PRAGER shall not have pediatric patients/clients present as an adjunct to another individual's professional services without having a license supervisor present in the session.
8. PRAGER agrees that he will not submit a request for modifications or release from this permanent practice restrictions and acknowledges that the Board will not modify or release him from these restrictions.

FAILURE TO COMPLY

9. ~~If, in the discretion of the Board, PRAGER appears to have violated or breached any terms or conditions of this CONSENT AGREEMENT, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before effective date of this Consent Agreement.~~

MODIFICATIONS OF TERMS

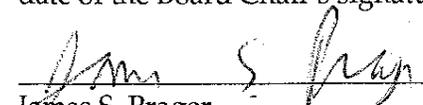
- 10. The terms, limitations, and conditions of this CONSENT AGREEMENT, other than the Permanent Practice Restrictions, may be modified or terminated, in writing, at any time upon the agreement of both PRAGER and the Board.

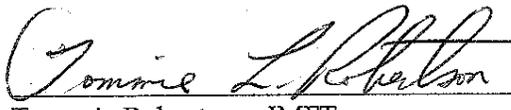
It is hereby agreed by and between both parties that this CONSENT AGREEMENT hereby settles all issues concerning this matter.

By his signature on this CONSENT AGREEMENT, PRAGER 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. PRAGER 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.

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

The BOARD shall incorporate this CONSENT AGREEMENT into a formal journal entry at its September 2011, meeting. This CONSENT AGREEMENT shall take effect upon the date of the Board Chair's signature below:

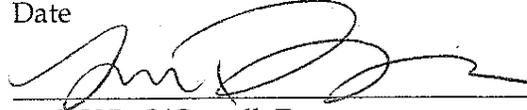

James S. Prager


Tommie Robertson, IMFT
Chair, Counselor, Social Worker, Marriage and Family Therapist Board

8-24-11
Date

9-15-11
Date

Counsel for Mr. Prager


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

Date

9/15/11
Date