



COPY

**STATE OF OHIO  
COUNSELOR AND SOCIAL WORKER BOARD**

ADJUDICATION ORDER  
in the Matter of:

Sharon L. Amburgey  
PO Box 175  
Ludlow Falls, Ohio 45339

IN THE MATTER OF SHARON L. AMBURGEY TO PRACTICE AS A SOCIAL  
WORK ASSISTANT IN THE STATE OF OHIO.

THE MATTER OF SHARON L. AMBURGEY CAME BEFORE THE OHIO  
COUNSELOR AND SOCIAL WORKER BOARD ON JULY 17, 1998.

**FINDINGS, ORDER, AND JOURNAL ENTRY**

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Sharon L. Amburgey by the Counselor and Social Worker Board on March 23, 1998.

Pursuant to R.C. 119.07 licensees/registrants are entitled to a hearing before the Board if such a hearing is requested within thirty days of the mailing of the Notice of Opportunity for Hearing. In this case, Sharon L. Amburgey failed to make a timely request for such a hearing, therefore, pursuant to *Goldman v. State Medical Board of Ohio* (1996), 110 Ohio App.3d 124, 673 N.E.2d 677, a hearing was held before Ronda Shamansky, Hearing Officer appointed by the Board on June 15, 1998. At this hearing the Board, by and through Assistant Attorney Jonathan M. Bowman presented evidence in support of the Notice of Opportunity for Hearing. Sharon L. Amburgey was not present.

**Summary of Evidence**

A copy of the Hearing Officer's Report and Recommendations is attached.

**Discussion**

The Ohio Counselor and Social Worker Board, prior to rendering its decision, reviewed the Report and Recommendations prepared by the Hearing Officer. The Board hereby incorporates in its entirety the Report and Recommendations of the Hearing Officer into this ORDER.

THEREFORE, it is hereby ORDERED that, for the reasons outlined in this ORDER, the certification of Sharon L. Amburgey (W-330) is REVOKED. This ORDER was approved by unanimous vote of the Members of the Ohio Counselor and Social Worker Board who reviewed this case.

Motion carried by order of the Ohio Counselor and Social Worker Board

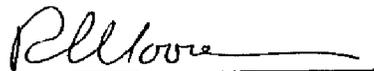
It is hereby certified by this Board that the above language is incorporated into the Board's journal in this matter.

### APPEAL RIGHTS

Pursuant to Section 119.12 of the Ohio Revised Code, you may appeal from this Order. Such an appeal may be taken to the court of common pleas in the county in which your place of business is located or to the court in the county in which you reside. If you do not have a place of business in Ohio and are not a resident of Ohio, you may appeal to the Court of Common Pleas in Franklin County, Ohio.

Such an appeal, setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State of Ohio Counselor and Social Worker Board and the appropriate Court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

By Order of the State of Ohio Counselor and Social Worker Board.



Robert L. Moore  
Chairman

### Certification

I hereby certify that a true and accurate copy of this Adjudication Order of the State of Ohio Counselor and Social Worker Board was mailed return receipt requested to Sharon L. Amburgey this 21st day of July 1998.

Beth Farnsworth  
Beth Farnsworth  
Executive Director

7-21-98  
Date

7 337 619 453  
Certified Mail Number  
Return Receipt Requested

STATE OF OHIO

COUNSELOR AND SOCIAL WORKER BOARD

RECEIVED  
Jul 30 '98  
COUNSELOR AND SOCIAL  
WORKER BOARD

IN THE MATTER OF THE  
CERTIFICATE OF REGISTRATION OF

Sharon L. Amburgey

REPORT AND RECOMMENDATION OF  
HEARING EXAMINER

AS A SOCIAL WORK ASSISTANT  
IN THE STATE OF OHIO

June 30, 1998

**FOR THE REGISTRANT:**

No appearance

**HEARING EXAMINER:**

Ronda S. Shamansky  
245 East Gay Street  
Columbus, Ohio 43215-3210  
614/224-9078

**FOR THE BOARD:**

Jonathan Bowman  
Assistant Attorney General  
Health & Human Services Section  
30 E. Broad St., 26th Floor  
Columbus, Ohio 43215  
614/466-8600

4. The State offers the deposition of Client #1, which appears as State's Exhibit 8, and which it claims describes Ms. Amburgey's history with Client #1, and provides the testimony supporting the charges against her. In that deposition, Client #1 testified that she was referred to Eastway after being hospitalized in early 1996. (State's Exhibit 8, pp. 2-3) She began seeing Ms. Amburgey because of depression and disassociation, and because her condition presented a possible danger to herself and others. (State's Exhibit 8, p. 4) At first, she was uncomfortable with Ms. Amburgey because she wasn't used to someone coming to her home for therapy. (State's Exhibit 8, p. 4) By September 1996, however, the two had become friends and would go out to lunch and dinner together. (State's Exhibit 8, p. 7) Client #1 liked the fact that Ms. Amburgey would take her out for walks, because she was otherwise housebound. (State's Exhibit 8, pp. 6-7) Their relationship continued to develop into a close personal friendship. Client #1 testified in the deposition about her knowledge of each of the charges listed in State's Exhibit 1.
  
5. The first charge is that Ms. Amburgey entered into a sexual relationship with Client #1. In her deposition, Client #1 testified that there were five or six instances of sexual activity over the course of a year, and that these occurred when she was disassociative. (State's Exhibit 8, pp. 15-16, 54) She testified that Ms. Amburgey would "regress her" so that her other personalities would come forth, and that she would do this by asking her to lie down on a blanket and clear her mind. Then she would bring images to her mind and speak to certain persons within Client #1's personality. (State's Exhibit 8, pp. 54, 57-58) Client #1 testified in the deposition that Ms. Amburgey told her that some of the personalities within her were actually Ms. Amburgey's family members in another life, including a male personality that Ms. Amburgey called "Lone Wolf." Ms. Amburgey told her that "Lone Wolf" was a Native American male, who was her (Ms. Amburgey's) husband in a previous life. (State's Exhibit 8, pp. 70-71) It was when Ms. Amburgey had regressed Client #1 to this male personality that the sexual activity took place. Ms. Amburgey told Client #1 that "the male part of her" was engaging in these activities with her. This took place between October 1996 and the spring of 1997. (State's Ex-

hibit 8, pp. 55-57)

6. The second charge against Ms. Amburgey is that she had meals with Client #1 including Thanksgiving dinner in 1996. (State's Exhibit 1) In her deposition, Client #1 confirmed that she and her family had gone to Thanksgiving dinner at Ms. Amburgey's house in 1996. (State's Exhibit 8, p. 10) She testified that they often had lunches and dinners together. (State's Exhibit 8, p. 7)
  
7. The third charge against Ms. Amburgey is that she vacationed in Florida with Client #1 in October 1996, and that she allowed Client #1 to pay the expenses of the trip. (State's Exhibit 1) In her deposition, Client #1 testified that she and Ms. Amburgey went on a two-week vacation to Florida in October 1996, and that they stayed with Ms. Amburgey's daughter there. (State's Exhibit 8, pp. 8, 19) On the same trip, she testified that they also visited a city called Cherokee, in North or South Carolina. (State's Exhibit 8, p. 8) During this trip, Client #1 paid for all of the expenses, including gas and meals. (State's Exhibit 8, pp. 72, 78)
  
8. The fourth charge against Ms. Amburgey is that she took Client #1 to visit her mother in West Virginia in February 1997. (State's Exhibit 1) In her deposition, Client #1 confirmed that Ms. Amburgey had indeed taken her to visit her mother in February 1997, and that the two of them stayed overnight there. (State's Exhibit 8, pp. 65-66) Client #1 testified that she didn't ask her daughter to take her there because she "didn't have any real part in [her] daughter's life" and that she didn't have any other friends she could ask. (State's Exhibit 8, p. 66)
  
9. The fifth charge against Ms. Amburgey is that she accepted a financial loan from Client #1. (State's Exhibit 1) In her deposition, Client #1 testified that she gave Ms. Amburgey money a couple of times in the fall of 1996 when Ms. Amburgey needed it, and that Ms. Amburgey repaid the loans. (State's Exhibit 8, pp. 11-12, 65)

10. The sixth charge against Ms. Amburgey is that she gave Client #1 a key to her car and allowed Client #1 to drive that car on one occasion. In her deposition, Client #1 testified that Ms. Amburgey had given her a key to her car, and that she wanted her to have it because she sometimes lost her keys. (State's Exhibit 8, pp. 13, 30) She testified that she had driven the car once, when it was new, because Ms. Amburgey was proud of her new car and wanted her to drive it. (State's Exhibit 8, pp. 13, 30)
11. The seventh charge against Ms. Amburgey is that she attended Native American culture meetings with Client #1. In her deposition, Client #1 testified that Ms. Amburgey has some Native American ancestry, and that Ms. Amburgey took her to a meeting for Native American Indians. (State's Exhibit 8, pp. 32-33, 60-61) However, Client #1 was uncomfortable with it because she is Christian, and she felt that the practices at the meeting were against her religious principles. She and Ms. Amburgey had a fight over this incident. (State's Exhibit 8, pp. 33-34, 60-61)
12. The eighth charge against Ms. Amburgey is that she attended church with Client #1. In her deposition, Client #1 testified that Ms. Amburgey joined Client #1's church after they came back from their vacation together, and that Ms. Amburgey hadn't practiced a religion until then. (State's Exhibit 8, pp. 41, 36-37) Mr. Hegarty testified at the hearing that Ms. Amburgey and Client #1 were actually commuting to and from church together, and not merely attending the same church by coincidence.
13. The ninth charge against Ms. Amburgey is that she allowed Client #1 to stay in her home for a one month period. In her deposition, Client #1 testified that she spent the night at Ms. Amburgey's home for approximately two months during the winter of 1996. (State's Exhibit 8, p. 42) However, she testified that her daughter told her this, and that her memory of it was not very clear. (State's Exhibit 8, p. 42)
14. The tenth charge against Ms. Amburgey is that she stayed in Client #1's home on several occasions. In her deposition, Client #1 testi-

fied that Ms. Amburgey had stayed overnight at her apartment three times. (State's Exhibit 8, p. 43) According to Client #1's testimony, she had given Ms. Amburgey had a key to her apartment because they had become friends and Ms. Amburgey was worried that Client #1 couldn't get out of her home easily. (State's Exhibit 8, pp. 12-13, 29)

15. The State contends that these facts indicate numerous violations of the Code of Ethics of the National Association of Social Workers, adopted by the Board and incorporated into its Rules at O.A.C. 4757-21-01. Specifically, the Board contends that Ms. Amburgey violated O.A.C. 4757-21-01(B)(1) which prohibits "dual relationships" with clients. The State also alleges that her conduct violates Appendix B, Sections I(D)(2), and II(F)(2), (4) and (5). Section I(D)(2) provides that the social worker should not exploit professional relationships for personal gain. Sections II(F)(2), (4), and (5) prohibit the social worker from engaging in relationships that conflict with the interests of clients, including sexual relationships and those that are for the social worker's personal advantage.

### DISCUSSION

I am persuaded by the testimony and the documents introduced into evidence to find that Ms. Amburgey did violate the Sections of the Code of Ethics cited by the State, through her relationship with Client #1. Mr. Hegarty testified at the hearing that Client #1 appeared to have a clear memory of these events, and that she did not seem in any way incompetent to describe what happened over the course of her therapy with Ms. Amburgey. Moreover, Client #1's family has confirmed much of this information with Eastway during the course of its investigation.

By engaging in a personal relationship with this client, which included sexual activity, Ms. Amburgey exploited Client #1, thereby violating O.A.C. 4757-21-01(B)(1) as well as Sections II(F)(2), (4), and (5) of Appendix B, the Code of Ethics of the National Association of Social Workers. By accepting loans and allowing Client #1 to pay for their vacation expenses, Ms. Amburgey violated Appendix B, Section I(D)(2), which prohibits the social worker from exploiting professional relationships for personal gain.

Client #1 testified in her deposition that she was "kind of scared of the

whole situation," and explained that her friendship with Ms. Amburgey was based on "human nature to cling when you are that alone and there is nobody out there." Clearly this was a very vulnerable client who had little contact with other friends and family. Ms. Amburgey took advantage of the vulnerability created by Client #1's illness and family circumstances.

There is also evidence in the record that demonstrates that Ms. Amburgey was aware of the fact that she was acting inappropriately while this was going on. Client #1 testified in her deposition that Ms. Amburgey had told Client #1's daughter not to tell anyone about their friendship because she could lose her job. (State's Exhibit 8, p. 14) Also, Ms. Amburgey wanted to sit in on Client #1's meetings with the Eastway psychiatrist, thereby preventing her from telling the psychiatrist about the friendship until after it had been going on for a long time. (State's Exhibit 8, pp. 20-21)

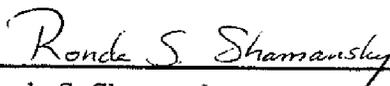
For all of these reasons, I find that Ms. Amburgey violated the Code of Ethics and exploited Client #1 in numerous ways, and I recommend that the Board revoke her certificate of registration as a social work assistant.

#### **CONCLUSION OF LAW**

I conclude that the Board is authorized by R.C. 4757.13(A), now renumbered as R.C. 4757.36(A)(2), to revoke Ms. Amburgey's certificate of registration as a social work assistant because of her many violations of the Code of Ethics. I find that in her personal relationship with Client #1, she violated O.A.C. 4757-21-01(B)(1), as well as Sections I((D)(2), and II(F)(2), (4), and (5) of Appendix B, the Code of Ethics of the National Association of Social Workers, incorporated into the Board's rules at O.A.C. 4757-21-01.

**RECOMMENDATION**

For the reasons detailed in this report, I recommend that the Board revoke Sharon L. Amburgey's certificate of registration as a social work assistant.

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Ronda S. Shamansky  
Hearing Examiner