



STATE OF OHIO COUNSELOR AND SOCIAL WORKER BOARD

ADJUDICATION ORDER
in the Matter of:

Penny S. Stacy
1113 Bayridge Drive
Lewis Center, Ohio 43035

IN THE MATTER OF PENNY STACY TO PRACTICE AS A SOCIAL WORK ASSISTANT IN THE STATE OF OHIO.

THE MATTER OF PENNY STACY CAME BEFORE THE FOLLOWING MEMBERS OF THE SOCIAL WORKER PROFESSIONAL STANDARDS COMMITTEE OF THE OHIO COUNSELOR, SOCIAL WORKER, AND MARRIAGE AND FAMILY THERAPIST BOARD: GLENN ABRAHAM, THERESA CLUSE-TOLAR, AND GWENDOLYN DACONS-TAYLOR.

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Penny S. Stacy by the Social Worker Professional Standards Committee on July 21, 2003

Pursuant to R.C. 119.07 licensees 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, Penny Stacy failed to make a timely request for such a hearing, therefore pursuant to *Goldman v. State Medical Board* (March 29, 1996) Franklin County Court of Appeals, 95 APE 10-1358 a hearing was held on November 20, 2003, in front of the Social Worker Professional Standards Committee. At this hearing the Board by and through their Assistant Attorney General, Barbara Petrella, presented evidence in support of the Notice of Opportunity for Hearing. Penny Stacy was not present.

Summary of Evidence

State's Exhibits

1. Notice of Opportunity for Hearing to Penny Stacy, dated July 21, 2003.
2. Letter dated August 21, 2003, and received by the Board on August 25, 2003, from Penny Stacy acknowledging receipt of the Notice of Opportunity for Hearing and requesting a hearing.

3. Letter dated August 25, 2003, from the Board to Ms. Stacy with regard to her request for a hearing.
4. Letter dated October 7, 2003, from the Board to Ms. Stacy scheduling a hearing on November 20, 2003, pursuant to *Goldman v. State Medical Board* (March 29, 1996) Franklin County Court of Appeals, 95 APE 10-1358.
5. Copy of a computer printout generated by the Board showing the status of Ms. Stacy's registration.
6. Letter received on April 8, 2003, to the Board, from Ruth Klee of North Central Elder Focus, Columbus, Ohio.
7. Letter dated March 19, 2003, from North Central Mental Health Services to Penny Stacey.
8. Notarized statement dated June 11, 2003, from Ruth Klee of North Central Elder Focus.
9. Cover page concerning Nancy T.
 - 9A. North Central Mental Health information page concerning Nancy T.
 - 9BO. Fee agreement documents showing Nancy T's signature.
 - 9C. Documentation concerning Nancy T
10. Cover page concerning Sonia S.
 - 10A. North Central Mental Health information page concerning Sonia S.
11. Cover page concerning Loren C.
 - 11A. North Central Mental Health information page concerning Loren C.
 - 11BO. Documentation concerning Loren C. showing original signatures
 - 11C. Documentation concerning Loren C.
12. Cover page concerning Naomi Y.
 - 12A. Documentation concerning Naomi Y.
 - 12A1. Documentation concerning Naomi Y.
 - 12B. Documentation concerning Naomi Y.
13. Cover page concerning Zena B.
 - 13A. Documentation concerning Zena B
14. Written statement from Penny Stacy to the Board.

15. Testimony of William L. Hegarty, Investigative Supervisor, for the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.

Conclusions of Law

Ohio Revised Code Section 4757.36(A)(1) provides that the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board may take disciplinary action against a registrant who has committed a violation of any provision of the laws and rules governing the practice of counseling and social work in the state of Ohio.

Discussion

As required in the case of *Goldman v. State Medical Board* (March 29, 1996) Franklin County Court of Appeals 95APE10-1358, all cases where a Board issues a Notice for Opportunity for Hearing and the individual does not request a hearing, the Board still must review evidence presented to it and make specific findings of fact. In this case, Ms. Stacy did request a hearing after receipt of the Notice for Opportunity for Hearing but it was not submitted in the legally required timeframe. The Committee determined that Ms. Stacy had violated the law and rules outlined in the Notice of Opportunity for Hearing by forging signatures of clients on client records.

The Social Worker Professional Standards Committee, prior to rendering its decision, reviewed all the exhibits and testimony that was presented by the State of Ohio. **THEREFORE**, it is hereby **ORDERED** that for the reasons outlined in this **ORDER**, the registration of Penny S. Stacy to practice as a Social Work Assistant (W-1438) in the State of Ohio is **REVOKED**. This **ORDER** was approved by a majority vote of the Members of the Committee who heard this case.

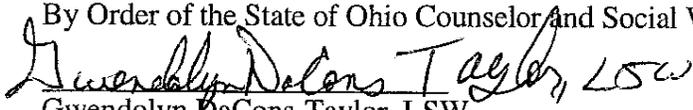
Motion carried by order of the Social Worker Professional Standards Committee of the Ohio Counselor and Social Worker Board.

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

APPEAL RIGHTS

This *Order* may be appealed in accordance with Section 119.12 of the Ohio Revised Code by filing the original Notice of Appeal with the Ohio Counselor and Social Worker Board, 77 S. High Street, 16th Floor, Columbus, Ohio 43215, and also a copy of that Notice of Appeal with the Court of Common Pleas in Franklin County, Ohio. The Notice of Appeal shall set forth the Order appealed from and the grounds of the Party's appeal. Such Notice of Appeal and copy shall be filed and must be delivered within fifteen (15) days after the mailing of this *Adjudication Order*.

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

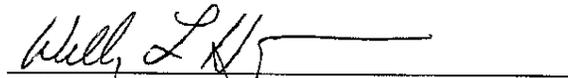

Gwendolyn DaCons-Taylor, LSW

Chair, Social Worker Professional Standards Committee

November 21, 2003

Certification of Service

I hereby certify that a true copy of the foregoing ADJUDICATION ORDER was sent via U. S. Certified Mail, Return Receipt Requested, Article # 7002 2030 0000
7089 2880 to Penny Stacy, 1113 Bayridge Drive, Lewis Center, Ohio on this 24 day of Nov 2003.


William L. Hegarty, Investigative Supervisor
Ohio Counselor and Social Worker Board