



Counselor, Social Worker & Marriage and Family Therapist Board

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ADJUDICATION ORDER in the Matter of:

Tyerell Boughan
2414 Adgate Road
Lima, OH 45805

IN THE MATTER OF TYERELL BOUGHAN TO PRACTICE AS A LICENSED
SOCIAL WORKER IN THE STATE OF OHIO.

THE MATTER OF TYERELL BOUGHAN CAME BEFORE THE FOLLOWING
MEMBERS OF THE SOCIAL WORKER PROFESSIONAL STANDARDS
COMMITTEE OF THE OHIO COUNSELOR, SOCIAL WORKER, AND MARRIAGE
AND FAMILY THERAPIST BOARD ON MAY 15, 2014: STEVEN POLOVICK, TIM
BRADY, DR. CARL BRUN, AND ERIN MICHELS

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came for consideration after a Notice of Opportunity for Hearing was issued to Tyerell Boughan, by the Social Worker Professional Standards Committee on March 21, 2014.

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, Ms. Boughan 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 the case was presented to the Social Worker Professional Standards Committee on May 15, 2014.

Summary of Evidence

State's Exhibits

1. Affidavit prepared by William L. Hegarty, Deputy Director, State of Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.

2. Notice of Opportunity for Hearing to Ms. Boughan dated March 21, 2014.
3. Report of Investigation, with regard to Tyerell Boughan (This exhibit will not be considered a public document and will remain confidential under ORC 4757.38.)

Conclusions of Law

Ohio Revised Code Section 4757.36(C)(1) provides that the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board may take disciplinary action against a licensee who has committed a violation of any provision of the Board's law and rules. Ohio Revised Code Section 4757.36(C)(6) provides that the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board may take disciplinary action against a licensee who fails to perform properly as a social worker due to the use of alcohol or other drugs or any other physical or mental condition. Ohio Administrative Code Section 4757-5-03(A) states that the Board may discipline a licensee who fails to avoid a multiple relationship or has a conflict of interest with any client which are not in the best interest of the client and might impair professional judgment or which increases the risk of client exploitation. Ohio Administrative Code Section 4757-5-05 states that the Board may discipline a licensee who undertakes or continues a professional relationship with a client when the objectivity or competency of the social worker is or could reasonably be expected to be impaired due to mental, emotional, physiological, pharmacological, or substance abuse conditions.

Discussion and Findings

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, Tyerell Boughan did not request a hearing after receipt of her Notice for Opportunity for Hearing.

The Social Worker Professional Standards Committee has reviewed the evidence prepared in this case. The Committee finds that Tyerell Boughan violated her professional boundaries by allowing a client to stay overnight at her home. The Committee also finds that Ms. Boughan continued to practice as a licensed social worker while impaired due to a substance abuse condition. Based on this, the Committee orders that Ms. Boughan's license to practice as a licensed social worker (S.1101359) is Revoked. As Ordered by the Social Worker Professional Standards Committee of the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board. Mr. Brady recused himself from the discussion and vote on this case.

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

APPEAL RIGHTS

Ohio Revised Code Section 119.12 may authorize an appeal from this Order. Such an appeal must be commenced by the filing of a Notice of Appeal with the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board and in the court of common pleas of the county in which the place of business of the licensee is located or the county in which the licensee is a resident. If the party appealing from the order is not a resident of and has no place of business in this state, the party may appeal to the court of common pleas of Franklin County. The Notice of Appeal must set forth the order appealed from and state that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with the law. The Notice of Appeal may, but need not, set forth the specific grounds of the party's appeal beyond the statement that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. Both Notices of Appeal must be filed with the Board and the applicable court within fifteen (15) days after mailing of this notice of the agency's order, and in accordance with the provisions of Ohio Revised Code Chapter 119.12.

By Order of the State of Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.


James R. Rough
Executive Director

May 16, 2014
Date

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