

**CONSENT AGREEMENT  
BETWEEN  
TIMOTHY L. RINK  
AND  
THE OHIO BOARD OF SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY**

This CONSENT AGREEMENT is entered into by and between TIMOTHY L. RINK, Ph.D. (hereinafter "DR. RINK") and the Ohio Board of Speech-Language Pathology and Audiology (hereinafter "BOARD"), the state agency charged with enforcing Chapter 4753 of the Ohio Revised Code, and all rules promulgated thereunder.

DR. RINK voluntarily enters into this CONSENT AGREEMENT, being fully informed of his rights under Chapter 119, Ohio Revised Code, including his right to representation by counsel and his right to a formal adjudicative hearing 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. The OHIO BOARD OF SPEECH-LANGUAGE PATHOLOGY is empowered by Section 4753.10, Ohio Revised Code to reprimand or place on probation a speech-language pathologist or audiologist or suspend, revoke, or refuse to issue or renew the license of a speech-language pathologist or audiologist for any of the enumerated violations.
2. THE OHIO BOARD OF SPEECH-LANGUAGE PATHOLOGY enters into this CONSENT AGREEMENT in lieu of further formal proceedings based upon the violations of Sections 4753.02 and 4753.10, Ohio Revised Code, set forth in the Notice of Opportunity for Hearing issued by the BOARD on November 28, 1997, attached hereto as Exhibit A and incorporated herein by reference. The BOARD expressly reserves the right to institute

additional formal proceedings based upon any other violations of Chapter 4753 of the Ohio Revised Code whether occurring before or after the effective date of this AGREEMENT.

3. DR. RINK holds a license to practice audiology in the State of Ohio. This license was issued by the BOARD on or about July 1, 1976.
4. TIMOTHY L. RINK admits the factual and legal allegations set forth in the Notice of Opportunity for Hearing issued by the BOARD on November 28, 1997, and attached hereto as Exhibit A and incorporated herein by reference.
5. That the individuals identified in paragraph 2 in the Notice of Opportunity for Hearing issued by the BOARD which is attached hereto as Exhibit A have now properly submitted audiology aide applications and have been granted licenses as audiology aides as of the date of this Agreement.

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth and, in lieu of any further formal proceedings at this time, TIMOTHY L. RINK, Ph.D. knowingly and voluntarily agrees with the OHIO BOARD OF SPEECH-LANGUAGE PATHOLOGY to the following terms, conditions and limitations:

- A. DR. RINK shall obey all federal, state, and local laws, and all rules governing the practice of audiology in Ohio.
- B. DR. RINK is hereby REPRIMANDED for the activity set forth in the Notice of Opportunity for Hearing issued by the Board on November 28, 1997. This REPRIMAND shall be entered in the BOARD'S journal and in DR. RINK' s licensure file.
- C. The BOARD agrees not to proceed with further action against DR. RINK for any of the conduct described in this CONSENT AGREEMENT as long as he remains in compliance with the terms and conditions of this CONSENT AGREEMENT.
- D. DR. RINK hereby releases the State of Ohio, the BOARD, and its members, officers, employees and/or agents of either, jointly and severally from any liability which arises from the within matter.

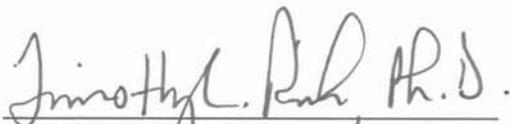
If, in the discretion of the BOARD, DR. RINK appears to have breached any terms or conditions of this CONSENT AGREEMENT, the BOARD reserves the right to institute formal disciplinary proceedings against DR. RINK, for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this AGREEMENT.

Any action initiated by the BOARD on alleged violations of this CONSENT AGREEMENT shall comply with the Administrative Procedure Act, Chapter 119, Ohio Revised Code.

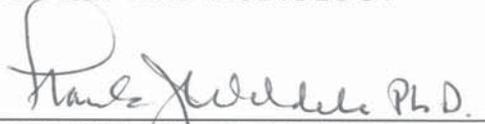
DR. RINK acknowledges that he has had an opportunity to ask questions concerning the terms of this CONSENT AGREEMENT and that all questions asked have been answered in a satisfactory manner.

This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the Board and shall become effective upon the last date of signature below.

THE OHIO BOARD OF SPEECH-LANGUAGE  
PATHOLOGY AND AUDIOLOGY

  
TIMOTHY L. RINK

2/25/98  
DATE

  
By: FRANK W. WELDELE, PH.D.  
Chairperson

3-1-98  
DATE

  
Attorney for TIMOTHY L. RINK  
(S. Ct. 0012367)

  
Assistant Attorney General

**OHIO BOARD OF SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY**  
**77 SOUTH HIGH STREET, 16TH FLOOR**  
**COLUMBUS, OHIO 43266**  
**614-466-3145**

November 28, 1997

Timothy L. Rink, Ph.D.

**NOTICE OF OPPORTUNITY FOR HEARING**

Dear Dr. Rink:

You are hereby advised that the Ohio Board of Speech-Language Pathology and Audiology ( "Board" ) intends to determine whether to reprimand, place on probation, revoke or suspend your license as an audiologist for the following reasons:

1. Timothy L. Rink holds a license to practice audiology [A-0019 ] in the State of Ohio. This license was issued by the Board on or about July 1, 1976.
2. On or about June 9, 1997, Dr. Rink completed and signed the aide application as supervisor for Brian S. Cain. On or about June 13, 1997, Dr. Rink completed and signed aide applications as supervisor for the following: James H. Ackley III, Douglas W. Conklin, Anthony J. Spinosi, Jason L. Hutchinson, Eric E. Ebron, James Vanscyoc, and William J. Jackson. These applications were received by the Board on June 19, 1997. The applications provided that Dr. Rink was supervising all the above named who were employed as audiometric technicians for the following periods of time:
  - Brian S. Cain - Employed 6 1/2 years
  - James H. Ackley III- May 1, 1991 to present
  - Douglas W. Conklin - March, 1997 to present
  - Anthony J. Spinosi - April, 1996 to present
  - Jason Hutchinson - October, 1996 to present
  - Eric E. Ebron - March, 1995 to present
  - James Vanscyoc - January, 1996 to present
  - William J. Jackson - August, 1983 to present
3. Dr. Rink did permit the above named audiometric technicians to engage in the active practice of audiology while under his supervision starting August, 1983 to present, without conditional licenses.

Dr. Rink's conduct as outlined in paragraphs two (2) through three (3) constitutes aiding and abetting unlicensed practice as set forth in the Ohio Revised Code 4753.02 and 4753.10 (D).

Section 4753.02 Ohio Revised Code, states:

No person shall practice, or aid and abet the practice of the profession of speech-language pathology, or audiology, use in connection with his name, or otherwise assume, use, or advertise any title or description tending to convey the impression that he is a speech-language pathologist or audiologist unless the person is licensed under [Chapter 4753, Ohio Revised Code].

Section 4753.10 (D), Ohio Revised Code, states:

In accordance with Chapter 119 of the Revised Code, the board of speech-language pathology and audiology may reprimand or place on probation a speech-language pathologist or audiologist or suspend, revoke, or refuse to issue or renew the license of a speech-language pathologist or audiologist. Disciplinary actions may be taken by the board for conduct that may result from but not necessarily be limited to:

\* \* \*

(D) Aiding or abetting unlicensed practice;

Further, Dr. Rink's conduct as set forth in paragraphs two (2) through three (3) constitutes a violation of Ohio Administrative Code Section 4753-3-08 (D).

Section 4753-3-08 (D), Ohio Administrative Code, states:

The Board may reprimand, place on probation, deny, suspend or revoke the license of an applicant or a licensee for violation of any provision of Chapter 4753 of the Revised Code, or any lawful order or rule of the board, and for unprofessional conduct, including but not limited to the following:

\* \* \*

(D) Aiding and abetting unlicensed practice;

In accordance with Chapters 119 and 4753, Ohio Revised Code, you are hereby notified that you are entitled to a hearing. If you wish to request such hearing, the request must be made in writing, and must be received in the office of the Ohio Board of Speech-Language Pathology and Audiology, 77 South High Street, 16th Floor, Columbus, Ohio 43266, within thirty (30) days of the time of the mailing of this notice. You are further advised that you may appear in person at this hearing, by your attorney, or you may

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present your position, arguments or contentions in writing, and at this hearing, you may present evidence or examine witnesses appearing for or against you.

In the event that no request for hearing is made within thirty days of the time of the mailing of this notice, the Ohio Board of Speech-Language Pathology and Audiology may, upon consideration of this matter, reprimand, place on probation, revoke or suspend your license.

BY ORDER OF THE OHIO BOARD OF  
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

I, the undersigned, hereby certify that the foregoing is a true copy of the original as issued by the Ohio Board of Speech-Language Pathology and Audiology as entered upon the Board's Journal, a copy of which has been forwarded to Timothy Rink this date, the 28<sup>th</sup> day of November, 1997.



Judith D. Raabe  
Executive Director

cc: Rebecca J. Albers, Assistant Attorney General

CERTIFIED MAIL P 348 904 763