COPY

CONSENT AGREEMENT
BETWEEN
ROBERT P. MILO
AND
OHIO BOARD OF SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

This CONSENT AGREEMENT is entered into by and between ROBERT P. MILO (hereinafter "Mr. Milo"), and 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.

Mr. Milo voluntarily enters into this CONSENT AGREEMENT being fully informed of his rights under Chapter 119 of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues which are 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 Board is empowered by Chapter 4753 of the Ohio Revised Code and the rules promulgated thereunder to discipline a Speech-Language Pathologist or Audiologist for violations of that chapter and rules.

2. The Board enters into this CONSENT AGREEMENT in lieu of further formal proceedings. The Board expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4753 of the Ohio Revised Code and all rules promulgated thereunder.

3. Mr. Milo admits the following events:

   a) Mr. Milo submitted, under signature dated November 25, 2002, an application for conditional audiology licensure.

   b) Mr. Milo answered "No" to question number 17 on the application.

   c) Mr. Milo was convicted of "attempted drug abuse" on May 12, 1994 and of "assault" on June 3, 2002.

4. Ohio Revised Code Section 4753.10(N) authorizes the Board to reprimand, place on probation, suspend, revoke, or refuse to issue or renew a license if the holder has been convicted of or pled guilty or nolo contendre to a felony or a crime involving moral turpiture.

5. Mr. Milo wishes to settle this matter in lieu of a hearing pursuant to Ohio Revised Code, Chapter 119.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any further formal proceeding at this time, Mr. Milo knowingly and voluntarily agrees with the Board to the following terms and conditions:

A. The Board shall issue Mr. Milo a conditional audiology license under the following probationary conditions, which probationary conditions shall be in effect for twenty-four (24) months from the effective date of this agreement.

   1) Mr. Milo shall henceforth comply with Chapter 4753 of the Ohio Revised Code and all other federal and state statutes and rules governing the practice of Speech-Language Pathology in the state of Ohio.

   2) Upon the Board's request Mr. Milo shall provide drug screen results, with the understanding that any screen result that is "positive" for any illegal chemical substance shall constitute a breach of this CONSENT AGREEMENT. Mr. Milo shall bear the costs of any such drug screens. Drug screening tests shall occur within twenty-four (24) hours of the Board's request.

   3) Mr. Milo shall submit results of a current Ohio Bureau of Criminal Identification background check, undertaken at his own expense, thirty (30) days prior to the end of the probationary period. It is clearly understood that any offenses additional to those on the BCI report submitted by Mr. Milo on February 18, 2002 shall constitute a breach of this CONSENT AGREEMENT.

B. Mr. Milo waives all his rights under Chapter 119 of the Ohio Revised Code, as they relate to matters which are the subject of this CONSENT AGREEMENT.

C. Mr. Milo hereby releases the Board, it's members, officers, employees, representatives and/or agents jointly and severally from any and all liability arising from the matters which are the subject of this CONSENT AGREEMENT.

D. Mr. Milo agrees that any breach of this CONSENT AGREEMENT shall be deemed to be a violation of a lawful order given by the Board, pursuant to Ohio Revised Code Section 4753.10(M).

If, in the discretion of the Board, Mr. Milo, appears to have breached any terms or conditions of this CONSENT AGREEMENT, the Board reserves the right to institute formal disciplinary proceedings against him. Any action initiated by the Board based on alleged violation of this CONSENT AGREEMENT shall comply with the Administrative Procedures Act, Chapter 119, Ohio Revised Code.

This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. Mr. Milo acknowledges that his social security number will be used if this information is reported.

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

Mr. Milo understands that this CONSENT AGREEMENT is subject to ratification by the Board prior to the signature of the Chairperson and shall become effective upon the last date of signature below.

Robert Milo

Date: May 14, 2003

Attorney 009145

Date: May 13, 2003

Jane M. Kukula Au.D, Chair
Ohio Board of Speech-Language
Pathology and Audiology

Date: 5/21/03

Barbara J. Petrella
Assistant Attorney General

Date: 6-5-03