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**SOCIAL WORKER SECTION**  
**MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING**  
**AND SOCIAL WORK JOINT EXAMINING BOARD**  
**Room 121B 1400 E. Washington Avenue, Madison**  
**Contact: Dan Williams – 608-266-2112**  
**June 17, 2015**

*The following agenda describes the issues that the Section plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Section.*

**9:00 A.M.**

**AGENDA**

**CALL TO ORDER – ROLL CALL – OPEN SESSION**

- A. **Adoption of the Agenda**
- B. **Approval of Minutes from March 18, 2015 (4-10)**
- C. **Administrative Matters**
  - 1) Staff Updates
  - 2) Board Member – Term Expiration Date
    - a. Nicholas Smiar – 07/01/2014
    - b. Elizabeth Krueger – 07/01/2016
    - c. Jennifer Anderson-Meger – 07/01/2017
    - d. Gregory Winkler – 07/01/2015
- D. **Legislative and Administrative Rule Matters (11)**
  - 1) MPSW 5 Relating to Social Worker Examinations
  - 2) Update on AB217 relating to LCSW Practice Requirements.
  - 3) Update on Application Form Revisions.
  - 4) Update on Legislation and Pending or Possible Rulemaking Projects
- E. Speaking Engagement(s), Travel, or Public Relation Request(s)
- F. **Section Member Appearance Reports – Discussion and Consideration (12)**
- G. Discussion and Consideration of Items Received After Preparation of the Agenda:
  - 1) Introductions, Announcements and Recognition
  - 2) Division of Legal Services and Compliance Matters
  - 3) Presentations of Petition(s) for Summary Suspension
  - 4) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
  - 5) Presentation of Proposed Final Decision and Order(s)
  - 6) Education and Examination Matters

- 7) Credentialing Matters
- 8) Practice Questions/Issues
- 9) Legislation/Administrative Rule Matters
- 10) Liaison/Committee Report(s)
- 11) Informational Item(s)
- 12) Speaking Engagement(s), Travel, or Public Relation Request(s)
- 13) Consulting with Legal Counsel

H. Public Comments

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

I. **Deliberation of Division of Legal Services and Compliance (DLSC) Matters (13-15)**

- 1) **APPEARANCE** – Review of Administrative Warning WARN00000271, DLCS Case #13 SOC 084 (D.J.M)

J. **Education and Examination Matters (16-76)**

- 1) T.M. #7421-120 – Continuing Education (CE) Waiver Request-

K. **Discussion and Consideration of Order Fixing Costs in the Matter of Disciplinary Proceedings Against:**

- 1) Vicki LaFountain, L.C.S.W., Respondent (ORDER0002323)(DHA Case # SPS-14-0072)(DLSC Case # 12 SOC 080) **(77-89)**
- 2) Janet E. Patek, Respondent (ORDER0003839)(DHA Case # SPS-14-0077)(DLSC Case # 14 SOC 190) **(90-95)**

L. **Proposed Final Decision and Order(s)**

- 1) Ellen Pederson-Lewis, L.C.S.W.,(DHA Case No. SPS – 14-0087)(DLSC Case # 13 SOC 055) **(96-109)**
- 2) Jill M. Stockwell, (DHA Case # SPS-15-006)(DLSC Case #14 SOC 239) **(110-117)**
- 3) Sara L. Leu, (DHA Case # SPS- 15-0010)(DLSC Case No. 14 SOC 137) **(118-125)**
- 4) Sara E. Malay, (DHA Case # SPS -15-0009)(DLSC Case No. 14 SOC 144) **(126-135)**
- 5) Stefani I. Statz (DHA Case #SPS-15-0007)(DLSC Case No. 14 SOC 234) **(136-143)**

M. **Deliberation of Division of Legal Services and Compliance (DLSC) Matters**

- 1) **Administrative Warnings**
  - a. 14 SOC 271 (R.T.Z.) **(144-145)**

- b. 14 SOC 311 (D.R.B.) **(146-147)**
- 2) **Proposed Stipulations, Final Decisions and Orders**
  - a. 13 SOC 086 (L.K.L) **(148-153)**
  - b. 14 SOC 002 and 14 SOC 015 (S.S.M) **(154-159)**
  - c. 14 SOC 049 (A.K.H.) **(160-165)**
  - d. 14 SOC 053 (M.E.H.) **(166-172)**
  - e. 14 SOC 071 (M.G.A) **(173-174)**
  - f. 14 SOC 082 (J.K.K.) **(175-180)**
  - g. 14 SOC 108 (D.E.B) **(181-186)**
  - h. 14 SOC 110 (S.M.B.) **(187-192)**
  - i. 14 SOC 153 (M.J.F.) **(193-199)**
  - j. 14 SOC 166 (L.L.M.) **(200-205)**
  - k. 14 SOC 199 (V.P.) **(206-212)**
  - l. 14 SOC 291 (L.T.C) **(213-218)**
  - m. 14 SOC 300 (S.A.C.) **(219-224)**
  - n. 15 SOC 005 (J.A.E.) **(225-230)**
- 3) **Case Closures**

N. Consult with Legal Counsel

O. **Application Review**

P. Deliberation of Items Received After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Cases
- 5) Professional Assistance Program Cases
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Administrative Warnings
- 10) Proposed Final Decisions and Orders
- 11) Matters Relating to Costs
- 12) Case Status Report
- 13) Case Closures
- 14) Application Matters, including reviews
- 15) Motions

**RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

Voting on Items Considered or Deliberated on in Closed Session, If Voting is Appropriate

**ADJOURNMENT**

**SOCIAL WORKER SECTION  
MEETING MINUTES  
March 18, 2015**

**PRESENT:** Jennifer Anderson-Meger, Elizabeth Krueger, Nicholas Smiar, Gregory Winkler (*Via GoTo Meeting, was excused from the meeting at 12:00 p.m.*)

**STAFF:** Brittany Lewin – Executive Director, Nilajah Madison-Head – Bureau Assistant, and other DSPS Staff

**CALL TO ORDER**

Nicholas Smiar called the meeting to order at 09:01 a.m. A quorum of four (4) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF JANUARY 28, 2015**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to approve the minutes of January 28, 2015 as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Election of Officers**

*Chair*

**NOMINATION:** Elizabeth Krueger nominated Nicholas Smiar for the Office of Chair.

Brittany Lewin called for nominations three (3) times.

Nicholas Smiar was elected as Chair by unanimous consent.

*Vice Chair*

**NOMINATION:** Elizabeth Krueger nominated Jennifer Anderson-Meger for the Office of Vice Chair.

Brittany Lewin called for nominations three (3) times.

Jennifer Anderson-Meger was elected as Vice Chair by unanimous consent.

*Secretary*

**NOMINATION:** Elizabeth Krueger nominated Gregory Winkler for the Office of Secretary.

Brittany Lewin called for nominations three (3) times.

Gregory Winkler was elected as Secretary by unanimous consent.

<b>2015 OFFICER ELECTION RESULTS</b>	
<b>Section Chair</b>	Nicholas Smiar
<b>Vice Chair</b>	Jennifer Anderson-Meger
<b>Secretary</b>	Gregory Winkler

**Appointment of Liaisons**

The Chair Appoints the Following Members to:

<b>2015 LIAISON APPOINTMENTS</b>	
<b>DLSC Liaison Including Professional Assistance Procedure (PAP) and Monitoring</b>	Elizabeth Krueger, ( <i>Alternate:</i> Nicholas Smiar)
<b>Credentialing Liaison</b>	Nicholas Smiar, Jennifer Anderson-Meger, Elizabeth Krueger, Gregory Winkler
<b>Exams, Education and ASWB Liaison</b>	Nicholas Smiar
<b>Continuing Education Liaison</b>	Nicolas Smiar

<b>2015 SCREENING PANEL APPOINTMENT</b>	
<b>January – December 2015</b>	Nicholas Smiar, Jennifer Anderson-Meger ( <i>Alternate:</i> Elizabeth Krueger)

## **Delegation of Authority**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, that the Section delegates authority to the Chair to sign documents on behalf of the Section. In order to carry out duties of the Section, the Chair has the ability to delegate this signature authority to the Section's Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, in order to facilitate the completion of assignments between meetings, the Section delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Section, to appoint liaisons to the Department where knowledge or experience in the profession is required to carry out the duties of the Section in accordance with the law. Motion carried unanimously.

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger that Section Counsel or another Department attorney is formally authorized to serve as the Section's designee for purposes of Wis. Admin. Code SPS § 1.08(1). Motion carried unanimously

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Section or Section liaison review. Motion carried unanimously.

### ***Monitoring Liaison***

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to adopt the "Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor" document. Motion carried unanimously.

### ***Credentialing Liaison***

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to delegate authority to the Credentialing Liaison(s) to address all issues related to credentialing matters. Motion carried unanimously.

### ***Exams, Education, and Association of Social Work Boards (ASWB) Liaison***

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to delegate authority to the Exams, Education and ASWB Liaison to address all issues related to exam, education, and ASWB matters. Motion carried unanimously.

### *Continuing Education Liaison*

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to delegate authority to the Continuing Education (CE) Liaison to address all issues related to CE matters. Motion carried unanimously.

### **SECTION GOALS**

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to approve the Section Goals as amended. Motion carried unanimously.

### **REQUEST FOR SOCIAL WORKER SECTION MEMBER APPEARANCE**

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to designate Nicholas Smiar to speak on the Board's behalf at the Wisconsin Council on Social Work Education Spring 2015 Conference on April 17, 2015 in Wisconsin Dells, WI regarding a Social Worker Section report. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Gregory Winkler moved, seconded by Jennifer Anderson-Meger, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Gregory Winkler read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Jennifer Anderson-Meger – yes; Elizabeth Krueger – yes; Nicholas Smiar – yes; and Gregory Winkler – yes. Motion carried unanimously.

The Section convened into Closed Session at 10:39 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to reconvene into open session. Motion carried unanimously.

The Section reconvened into Open Session at 1:46 p.m.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to affirm all motions made in closed session. Motion carried unanimously.

## **PROPOSED FINAL DECISION AND ORDER**

### **Vicki LaFountain, L.C.S.W., Respondent (DHA Case # SPS-14-0072)(DLSC Case # 12 SOC 080)**

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Vicki LaFountain, L.C.S.W., Respondent – (DHA Case # SPS-14-0072)(DLSC Case # 12 SOC 080). Motion carried unanimously.

### **Janet Patek, Respondent (DHA Case # SPS-14-0077)(DLSC Case # 14 SOC 190)**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Janet Patek, Respondent – (DHA Case # SPS-14-0077)(DLSC Case # 14 SOC 190). Motion carried unanimously.

## **DELIBERATION OF DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS**

### **APPEARANCE (Teleconferenced) – Review of Administrative Warning WARN 00000267, DLSC Case # 14 SOC 154 (K.F.)**

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to affirm the Administrative Warning in the matter of DLSC case number 14 SOC 154 (K.F.). Motion carried unanimously.

### **Administrative Warnings**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to issue an Administrative Warning in the matters of:

1. 14 SOC 306 (D.M.R.)
2. 14 SOC 307 (K.S.)

Motion carried unanimously.

### **Proposed Stipulations, Final Decisions and Orders**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. Rachel A.Kelbert – DLSC case number 14 SOC 079
2. Joseph A. Krebsbach – DLSC case number 14 SOC 087
3. Jael Currie – DLSC case number 13 SOC 097
4. Robin K. Bolan, DLSC case number 14 SOC 099
5. Kathleen A.Conrad, DLSC case number 14 SOC 117
6. Enrique Cortez, DLSC case number 14 SOC 118

7. Jodi A. Martens, L.C.S.W. – DLSC case number 14 SOC 123
8. Carrie D. Kulinski, DLSC case number 14 SOC 125
9. Patti R. Fehl, DLSC case number 14 SOC 150
10. Susan S. Flanner, DLSC case number 14 SOC 156
11. Ellen Fumbanks, DLSC case number 14 SOC 159
12. Mary E. Gebhardt, DLSC case number 14 SOC 162
13. Kathleen E. Ross, DLSC case number 14 SOC 212
14. Sarabeth S. Stielow, DLSC case number 14 SOC 238
15. Mark K. Tuhy, DLSC case number 14 SOC 248
16. Irene T. Tyler, DLSC case number 14 SOC 249
17. Linda D. Van Ness, DLSC case number 14 SOC 256

Motion carried unanimously.

### **REQUESTS FOR WAIVER OR EXTENSION OF TIME TO COMPLETE CONTINUING EDUCATION (CE) REQUIREMENTS FOR THE 2015 RENEWAL**

#### **D.C. # 7822-123 – Request for Extension or Waiver due to Hardship**

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to grant the request of D.C. # 7822-123 for an extension of time to complete CE requirements for the 2015 renewal until September 18, 2015. The Continuing Education hours shall not be counted for the purposes of the 2015-2017 certification period. Motion carried unanimously.

#### **C.C. #3249-123 – Request for 180 Day Extension due to Illness**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to grant the request of C.C. #3249-123 for an extension of time of 180 days to complete the remaining 24 hours of CE for the 2015 renewal. The Continuing Education hours shall not be counted for the purposes of the 2015-2017 certification period. Motion carried unanimously.

#### **C.E. #4004-120 – Request for Extension due to Hardship**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to grant the request of C.E. #4004-120 for an extension of 90 Days from March 18, 2015 to complete CE requirements for the 2015 renewal. The Continuing Education hours shall not be counted for the purposes of the 2015-2017 certification period. Motion carried unanimously.

#### **S.F. # 1740-121 – Request for Extension due to Hardship**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to request more information regarding the specific details as to why an extension is warranted and information regarding which CE requirements have been completed or registered for by S.F. (# 1740-121). Motion carried unanimously.

**M.L. # 7145-123 – Request for Waiver due to Hardship**

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to deny the request of M.L. #7145-123 for a waiver of the CE requirements for the 2015 license renewal and grant an extension of six months from March 18, 2015 to complete the CE requirements for the 2015 renewal. The Continuing Education hours shall not be counted for the purposes of the 2015-2017 certification period. Motion carried unanimously.

**E.M. # 8058-120 – Request for Waiver due to Hardship**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to deny the request of E.M. # 8058-120 for a waiver of the CE requirements for the 2015 license renewal and grant an extension of six months from March 18, 2015 to complete the CE requirements for the 2015 renewal. The Continuing Education hours shall not be counted for the purposes of the 2015-2017 certification period. Motion carried unanimously.

**CASE CLOSINGS**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to close the DLSC cases for the reasons outlined below:

1. 14 SOC 298 – Prosecutorial Discretion (P7)
2. 14 SOC 274 – Insufficient Evidence (IE)
3. 14 SOC 016 – Insufficient Evidence (IE)
4. 14 SOC 128 – Prosecutorial Discretion (P2)
5. 15 SOC 008 – No Violation (NV)
6. 14 SOC 204 – No Violation (NV)
7. 14 SOC 132 – No Violation (NV)
8. 14 SOC 073 – No Violation (NV)
9. 14 SOC 148 – No Violation (NV)
10. 14 SOC 240 – No Violation (NV)
11. 14 SOC 070 – No Violation (NV)
12. 14 SOC 310 – Insufficient Evidence (IE)
13. 14 SOC 018 – Insufficient Evidence (IE)
14. 14 SOC 096 – Prosecutorial Discretion (P5)

Motion carried unanimously.

*(Gregory Winkler was excused from the meeting at 12:00 p.m.)*

**ADJOURNMENT**

**MOTION:** Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:47 p.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Sharon Henes</b> <b>Administrative Rules Coordinator</b>		2) Date When Request Submitted:  <b>5 June 2015</b> Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections:  <b>Social Worker Section</b>			
4) Meeting Date:  <b>17 June 2015</b>	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Legislation and Rule Matters – Discussion and Consideration</b> <b>1. MPSW 5 relating to social worker examinations</b> <b>2. Update on AB217 relating to LSCW practice requirements</b> <b>3. Update on Application form revisions</b> <b>4. Update on pending legislation and pending and possible rulemaking</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
<i><b>Sharon Henes</b></i>		<i><b>5 June 2015</b></i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Dan Williams - Executive Director</b>		2) Date When Request Submitted:  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
3) Name of Board, Committee, Council, Sections:  <b>Social Worker Section</b>			
4) Meeting Date:  <b>June 17, 2015</b>	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page?  <b>Section member appearance reports – Discussion and Consideration</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing?  <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:  N/A	
10) Describe the issue and action that should be addressed:  <b>Report from Smiar as to the Wisconsin Council on Social Work Education presentation in April 2015.</b>  <b>Report from Smiar and Winkler as to the ASWB Spring Education Conference. The theme was mobility (portability, reciprocity, etc.). Section discussion as to possible steps to improve mobility.</b>  Other reports as available.			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Executive Assistant prior to the start of a meeting.			