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STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

INGRID D HICKS, PH.D.
RESPONDENT.

Case No. LS9908101PSY

FINAL DECISION AND ORDER

The parties to this action for the purposes of § 227.53, Stats., are:

*Ingrid D. Hicks, Ph.D.
1003 E. Lyon Street
Milwaukee, WI, 53202*

*Wisconsin Psychology Examining Board
P.O. Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Psychology Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Ingrid D. Hicks, Ph.D., Respondent, date of birth June 17, 1958, is was licensed as a psychologist in the state of Wisconsin pursuant to license number 1198, which was first granted December 13, 1986.
2. Respondent's last address reported to the Department of Regulation and Licensing (DRL) is 1003 E. Lyon St., Milwaukee, WI, 53202.
3. On April 1, 1999, Respondent was convicted in U. S. District Court for the Eastern District of Wisconsin, case number 98-CR-226, of one count of submitting false claims to the U.S. Dept. of Health and Human Services.
4. As a result of the April 1, 1999 conviction, Respondent was sentenced to 5 years probation and ordered to pay a special assessment of \$100. Conditions of probation include, but are not limited to, the following:
 - a. Respondent residing at the Parsons House for a period of 90 days and paying the costs of residing there.
 - b. Respondent being placed on electronic monitoring for a period of 90 days in addition to the 90 days she

resides at the Parsons House, and paying the costs of the monitoring.

c. Respondent submitting to random drug testing as directed by the probation officer.

d. Respondent performing 60 hours per year of community service work for a total of 300 hours.

f. Respondent providing the probation officer with access to all financial information.

g. Respondent not opening new lines of credit or use existing credit without previous approval from the probation officer.

5. Prior to the conviction, Respondent had paid restitution to WPS in the amount of \$669.98 and to Medicare/Medicaid in the amount of \$24,883.49.

6. Submitting false claims to the U.S. Dept. of Health and Human Services is a crime the circumstances of which substantially relate to the circumstances of the practice of professional psychology.

7. The Wisconsin Department of Justice (DOJ) is currently investigating allegations that Respondent committed Medicaid fraud in Respondent's practice, in an additional amount in excess of \$137,000. DOJ has advised the DRL that as a result of that investigation DOJ intends to file criminal charges against Respondent.

8. Respondent has not renewed her license since it expired on September 30, 1999.

9. Pursuant to §440.08(3), Stats., Respondent could renew her license, within five years of its expiration, by payment of a late renewal fee.

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CONCLUSIONS OF LAW

1. The Psychology Examining Board has jurisdiction over this matter pursuant to

§ 455.09, Stats.

2. The Wisconsin Psychology Examining Board has authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.

3. By having been convicted of a crime the circumstances of which substantially relate to the circumstances of the practice of professional psychology, Respondent has violated Wis. Adm. Code § PSY 5.01(5) and is subject to discipline pursuant to § 455.09(1)(g), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The surrender of the right to renew the psychologist license of Ingrid D. Hicks, Ph.D., is hereby accepted, effective immediately.

2. Five years after the date of this order, Respondent may reapply to the Psychology Examining Board for a psychologist license, under the following terms and conditions:

a. Respondent shall have complied in all respects with all the conditions of her probation, ordered in case number 98-CR-226, (including those not summarized above), as amended from time to time, including any condition of restitution. Respondent shall authorize and request her probation agent to communicate freely with the Department Monitor concerning all aspects of the supervision of respondent while she is on probation. A violation of any condition of probation shall constitute a violation of this Order. Respondent shall furnish a copy of this Order to her probation agent forthwith.

b. Respondent shall have successfully completed probation, ordered in case number 98-CR-226.

c. Respondent shall meet the requirements of Wis. Adm. Code § PSY 4.03(2), including taking and passing the "jurisprudence examination" specified under § 455.045(1)(b), Stats.

3. If Respondent has met the conditions set out in paragraph 2, the Board shall issue Respondent a psychologist license, limited as follows:

a. Respondent shall not own, directly or indirectly, any interest in any clinic or counseling office without express permission of the Board.

b. Respondent shall practice only in a setting in which she does not handle cash or orders for payments such as checks, vouchers, etc., and in which she does not make (including by filling out

forms, entering data electronically, or otherwise) third party claims. However, Respondent may make proper records of her practice activities, from which others may make such claims. Respondent shall provide whatever consents are needed to enable the Board to determine that Respondent is in full compliance with this paragraph.

c. Respondent shall furnish a copy of this order to every employer for whom she may practice psychology, before beginning to perform such services. Respondent shall inform the Department Monitor of any employer (including any temporary service agency), within 5 days of employment. If Respondent provides psychological services as an independent contractor, the person or entity for whom she provides such services shall be deemed an "employer" for purposes of this paragraph.

4. Respondent shall bear all costs incurred as a result of satisfying this Order.

5. Respondent's alleged conduct, which is the basis for the DOJ investigation, has been considered in the discipline ordered in this matter. The resolution of the DOJ investigation, whatever it may be, shall not be the basis for either the imposition of any additional discipline or the modification of the discipline ordered herein.

The rights of a party aggrieved by this Decision to petition the Section for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin this 8th day of October, 1999.

Stephen F. Seaman, Ph.D.

Chair

Psychology Examining Board