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OF WISCONSIN
BEFORE THE PROFESSIONAL COUNSELORS SECTION
OF THE EXAMINING BOARD OF SOCIAL WORKERS,
MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

MARY A. HERSHBERGER, CPC

FINAL DECISION AND ORDER

RESPONDENT

Division of Enforcement Case No. 99 CPC 013

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

*Mary A. Hershberger, CPC
1121 N. Waverly Pl., Apt. 501
Milwaukee, WI 53202*

*Professional Counselors Section
Examining Board of Social Workers,
Marriage and Family Therapists and Professional Counselors
PO Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
PO 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 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. Mary A. Hershberger (D.O.B. 02/27/50) is duly certified as a professional counselor in the state of Wisconsin (certificate #2055). This certificate was first granted on September 5, 1995.
2. Ms. Hershberger's most recent address on file with the Wisconsin Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors is 1121 N. Waverly Pl., Apt. 501, Milwaukee, WI 53202.
3. On or about August 3, 1999, Ms. Hershberger was working as a counselor at Meta House, 2266 N. Prospect Avenue in Milwaukee, Wisconsin.
4. On or about August 3, 1999, Ms. Hershberger on several occasions utilized profanity in addressing YC, a person assigned to Mr. Hershberger's care. Ms. Hershberger used the door to her office to push YC out of Respondent's office, shouted "get the f*** out of my office" and slammed the door in YC's face.

5. In resolution of this matter Ms. Hershberger consents to entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Professional Counselors Section of the Wisconsin Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has jurisdiction over this matter, pursuant to sec. 457.26, Stats.

2. The Professional Counselors Section is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Stats.

3. The conduct described above constitutes a basis for discipline under secs. 51.61(1)(x) and 457.26(2)(f), (g) and (h), Stats. and Wisconsin Administrative Code § SFC 20.02(2) and (22). Furthermore, the Findings of Fact set forth in paragraph 4 above constitute an agency finding of abuse within the meaning of secs. 48.685 and 50.065, Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Mary A. Hershberger, CPC is REPRIMANDED.

IT IS FURTHER ORDERED that the professional counselor's certificate of Ms. Hershberger shall be subject to the following

TERMS, CONDITIONS, and LIMITATIONS:

1. Within six (6) months from the date of this order Ms. Hershberger shall submit documentation of successful completion of a program of least eight (8) hours of counseling, continuing education or other training acceptable to the Board in the area(s) of stress and/or anger management and at least eight (8) hours of continuing education acceptable to the Board in the area of client management. To be acceptable, the counseling, course or training shall be pre-approved by a member or designated agent of the Professional Counselors Section. Acceptable documentation shall include certification from the sponsoring organization as well as a statement signed by Ms. Hershberger verifying that she attended the course in its entirety.

2. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including coordinating all requests for approval of counseling, training or education. The Department Monitor may be reached as follows:

Department Monitor

Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 261-7938

3. In the event that Ms. Hershberger fails to timely comply with the terms set forth above, her professional counselor's certificate shall be suspended, without further notice or hearing, until she has complied with paragraph 1 of this Order.

4. While the terms of this Order are in effect, Ms. Hershberger shall provide any current or prospective professional counseling employers with a copy of this Final Decision and Order.

5. Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Ms. Hershberger's counselor's certificate; the Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

6. This Order shall become effective upon the date of its signing.

PROFESSIONAL COUNSELORS SECTION

EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

By:

Susan Kell, CPC

A Member of the Board

February 2, 2000

Date