

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION & LICENSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 :
 : FINAL DECISION AND ORDER
ANGELA R. FRENETTE, :
 : LS08103010RSA
RESPONDENT. :

[Division of Enforcement Case No. 08 RSA 007]

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Angela R. Frenette
915 Evergreen Lane
Chippewa Falls, WI 54729

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 Department. The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Angela R. Frenette, Respondent, date of birth September 24, 1977, is certified by the Department of Regulation and Licensing as a Substance Abuse Counselor in the state of Wisconsin, pursuant to certificate number 14570, which was first granted May 30, 2006.

2. Respondent's last address reported to the Department of Regulation and Licensing is 915 Evergreen Lane, Chippewa Falls, WI 54729.

3. From September 2004 to October 2007, Respondent was employed as a Substance Abuse Counselor at L.E. Phillips-Libertas Center (LEP) in Chippewa Falls, Wisconsin.

4. On November 29, 2006, Mr. A was admitted to detox at LEP. On November 30, Mr. A was assigned to Respondent's caseload in Phase II treatment and Respondent provided him with individual and group therapy until his discharge on December 26, 2006. As Mr. A's counselor, Respondent completed his diagnostic assessment, treatment plan and discharge summary.

5. In May 2007, a co-worker looking at Respondent's personal cell phone saw on the phone a picture of Mr. A and a text message from him. The co-worker reported this to the LEP Director. On May 21, 2007, the LEP Director and Clinical Supervisor confronted Respondent with this information.

a. Respondent told them she had deleted the picture but that it was of her brother and not Mr. A.

b. Respondent admitted to receiving a text message from Mr. A but stated that she did not return it and denied further contacts with Mr. A.

c. Respondent explained that she had a social contact with Mr. A through her cousin, whom she had not known was a friend of Mr. A and she believed her cousin gave Mr. A her cell phone number.

6. In October 2007, Respondent resigned her position at LEP to continue her graduate education in Guidance and Counseling. In December 2007, LEP administrators became aware that Respondent was dating a former client. They later determined that it was Mr. A and in March 2008, reported this information to the Division of Enforcement (DOE).

7. In an April 1, 2008 response to an initial DOE inquiry, Respondent denied engaging in a personal dating relationship with any former client. Later, Respondent admitted to having frequent contacts with Mr. A following his December 26, 2006 discharge from LEP which developed into a friendly relationship. Mr. A moved in with Respondent in approximately March 2008 and within 2 years of the time Respondent provided professional services to Mr. A, they began a personal relationship which included sexual contact.

8. Respondent has advised DOE that for personal reasons, she no longer plans to practice in the counseling field.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction over this matter pursuant to Wis. Stat. § 440.88(6) and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by engaging in a sexual relationship with a client within two years after termination of professional services, has violated Rule 4.1 of the Counselor Code of Conduct and Wis. Adm. Code § RL 164.01(2)(m) and is subject to discipline pursuant to Wis. Stat. § 440.88(6)

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The SURRENDER by Angela R. Frenette of her certification as a Substance Abuse Counselor in the state of Wisconsin is hereby ACCEPTED.

2. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$450.00 pursuant to Wis. Stat. § 440.22(2).

3. Payment shall be mailed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Fax (608) 266-2264
Telephone (608) 267-3817

4. This Order is effective on the date of its signing.

Department of Regulation and Licensing

By: Celia M. Jackson

10/30/08

Secretary

Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION & LICENSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 :
 : STIPULATION
ANGELA R. FRENETTE, : LS _____ RSA
RESPONDENT. :

[Division of Enforcement Case No. 08 RSA 007]

It is hereby stipulated and agreed, by and between Angela R. Frenette, Respondent; attorneys for Respondent; and John R. Zwieg, attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's certification by the Division of Enforcement. Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Respondent understands that by signing this Stipulation, she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.

3. Respondent has been provided an opportunity to obtain advice of legal counsel prior to signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Department. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by consideration of this attempted resolution.

6. Attached to this Stipulation are Respondent's current wall and wallet registration certificates. If the Department does not accept this Stipulation, Respondent's certificates shall be returned to Respondent with a notice of the Department's decision not to accept the Stipulation.

7. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement may appear before the Department, without the presence of Respondent or her attorney, if any, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

8. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

9. The Division of Enforcement joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.

Angela R. Frenette
Respondent
915 Evergreen Lane
Chippewa Falls, WI 54729

Date

John R. Zwieg
Attorney for Complainant
Division of Enforcement
Department of Regulation & Licensing
P.O. Box 8935
Madison, WI 53708-8935

Date