

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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FILE COPY

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DEBORAH A.D. SENN, R.N.,
RESPONDENT.

FINAL DECISION AND ORDER

95 NUR 193

ORDER 0001789

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

Deborah A. D. Senn, R.N.
807 Bittersweet Lane
Menomonie, WI 54751

Board of Nursing
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 Board of Nursing. 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. Deborah A. D. Senn, R.N., Respondent, date of birth December 13, 1952, is certified by the Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 75595, which was first granted April 11, 1980.
2. Respondent's last address reported to the Department of Regulation and Licensing is 807 Bittersweet Lane, Menomonie, WI 54751.
3. From June 23, 1992 to May 3, 1993, Patient A attended group therapy for victims of sexual abuse co-facilitated by the Respondent at Midelfort Clinic in Eau Claire.

4. From January 13, 1993 to November 18, 1993, Patient A received individual psychotherapy from the Respondent at the Midelfort Clinic. On January 13, 1993, the Respondent's diagnosis of Patient A was: Post Traumatic Stress Disorder. During treatment, sessions increased from two times per week to five times per week lasting from two to four hours in length.
5. On March 3, 1993, the Respondent suggested that Patient A enter inpatient treatment and Patient A refused.
6. On April 30, 1993, the Respondent's therapy notes indicate that Patient A was experiencing greater difficulties in dealing with flashbacks and hallucinations.
7. Beginning in April 1993, Respondent and Patient A had telephone conversations outside normal work hours on a routine basis. Some telephone conversations between the Respondent and Patient A lasted six to eight hours. The Respondent stated that during telephone conversations, Patient A would go into another personality and would experience flashbacks and that the Respondent attempted to "talk Patient A down" and "ground" Patient A during these telephone calls.
8. In August 1993, the Respondent and Patient A toured a group home in Menomonie, Wisconsin, and Respondent spent the weekend at Patient A's home in Menomonie.
9. Respondent admitted to the Division of Enforcement that by late summer 1993, she was aware that she was violating her professional code of ethics and the policies of her employer by having a personal relationship with Patient A, but the Respondent stated that she felt it was not right morally to drop Patient A as a patient at that time.
10. On September 8, 1993, the Respondent's diagnosis of Patient A was: dissociative disorder, not otherwise specified, and depression.
11. In September and October 1993, Patient A stayed at the Respondent's home at least four times. The Respondent and Patient A admit they slept in the same bed all four times, but both deny any sexual contact occurred.
12. In October 1993, the Respondent and Patient A attended a professional conference together at Mayo Clinic in Rochester, Minnesota, and shared a motel room.
13. On November 20 and 21, 1993, the Respondent and Patient A went to Minneapolis, Minnesota on a shopping trip together and shared a motel room.
14. On approximately November 23, 1993, Respondent met with her supervisor to terminate Respondent as Patient A's therapist because of the personal relationship and friendship with Patient A. At that time, for the first time, the Respondent informed her supervisor about the extent and frequency of contact with Patient A. Patient A continued in psychotherapy with another therapist at the clinic.

15. In November 1993, the Respondent moved in to live with Patient A at Patient A's home in Menomonie, Wisconsin, and they presently continue to live together in Patient A's home.

16. On December 3, 1993, the Respondent's employer presented conditions for the Respondent to continue as an employee; one being that the Respondent end her personal relationship with Patient A while Patient A received therapy at Midelfort Clinic. On December 3, 1993, the Respondent refused to end the relationship and submitted her resignation effective January 3, 1994.

17. In February 1995, Respondent opened ABRI Counseling in Menomonie, Wisconsin, where she provides psychotherapy to patients including patients with dissociative identity disorder diagnoses.

CONCLUSIONS OF LAW

1. The Board of Nursing has jurisdiction over this matter pursuant to §441.07(1), Wis. Stats.

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

3. That Respondent, by engaging in the conduct described in the Findings of Fact, is subject to discipline pursuant to §N 7.04, Wis. Adm. Code, for violating the minimum standards of the profession necessary for the protection of the health, safety, or welfare of a patient.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That the license of Deborah A. D. Senn as a registered nurse in the state of Wisconsin is hereby SUSPENDED for a period of at least two years, effective immediately.

2. That during the period Respondent's license is suspended, Respondent shall not be employed in any mental health care setting and shall not provide any form of mental health services to patients or clients in the state of Wisconsin.

3. That Respondent may petition the Board for the termination of the suspension, after two years, under the following terms and conditions:

a. Respondent shall have undergone an assessment using the general model and approach set out in Chapter 32, "Assessment and Development of Rehabilitation Plans for the Therapist", of Psychotherapists' Sexual Involvement with Clients, Schoener, Milgrom, Gonsiorek, Luepker and Conroe, published by the Walk-In Counseling Center, Minneapolis, Minnesota. This model and approach is also useful in assessing psychotherapists who have violated boundaries with clients, other than sexual boundaries.

b. The practitioner performing the assessment must have been approved by the Board, with an opportunity for the Division of Enforcement to make its recommendation, prior to the evaluation being performed.

c. Respondent must provide proof sufficient to the Board that Respondent can practice with reasonable skill and safety of clients and public.

d. If the Board determines to end the suspension, Respondent's license shall be limited in a manner to address any recommendations resulting from the assessment, including, but not limited to:

i. Psychotherapy, at Respondent's expense, by a therapist approved by the Board, to address specific treatment goals, with periodic reports to the Board by the therapist.

ii. Additional professional education in any identified areas of deficiency.

iii. Restrictions on the nature of practice or practice setting or requirements for supervision of practice, by a professional approved by the Board, with periodic reports to the Board by the supervisor.


e. Respondent shall appear before the Board on an annual basis, if requested by the Board, to review the progress of any treatment and rehabilitation.

4. If Respondent believes that the Board's refusal to end the suspension is inappropriate or that any limitation imposed or maintained by the Board under paragraph 3 is inappropriate, Respondent may seek a class 1 hearing pursuant to sec. 227.01(3)(a), Stats., in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious. The suspension or limitations on Respondent's license shall remain in effect until there is a final decision in Respondent's favor on the issue.

5. Violation of any term or condition of this Order, or of any limitation imposed under paragraph 3 above, may constitute grounds for revocation of Respondent's license as a registered nurse in Wisconsin. Should the Board determine that there is probable cause to believe that Respondent has violated the terms of this Order, or any limitation imposed under paragraph 3 above, the Board may order that Respondent's license be summarily suspended pending investigation of and hearing on the alleged violation.

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

Dated at Madison, Wisconsin this 11th day of January, 1996.



Pamela A. Maxson, R.N.
Chairperson
Board of Nursing

SENNDORN/se

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :

DEBORAH A. D. SENN, R.N., :
RESPONDENT. :

STIPULATION
95 NUR 193

It is hereby stipulated and agreed, by and between Deborah A. D. Senn, R.N., Respondent; and, John R. Zwieg, as 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 by the Department of Regulation and Licensing, Division of Enforcement on behalf of the Board of Nursing (file 95 NUR 193).

2. Respondent understands that by the signing of this stipulation Respondent voluntarily and knowingly waives Respondent's rights, including: the right to a hearing on the allegations against Respondent, 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 Respondent; the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena; the right to testify; 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 Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Respondent is aware of her right to seek legal representation prior to signing this stipulation.

4. Respondent admits the allegations in this matter, and agrees to the adoption of the attached Final Decision and Order by the Board. 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 Board's order, if adopted in the form as attached.

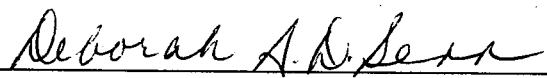
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties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

6. The parties to this stipulation agree that the Respondent, Respondent's attorney, if any, and an attorney for the Division of Enforcement may appear before the Board for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.


7. The parties to this Stipulation agree that the member of the Board appointed as the investigative advisor in this matter may appear before the Board in open or closed session for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations of the Stipulation.

8. Attached to this Stipulation is the current licensure card of Respondent. If the Board accepts the Stipulation, Respondent's license shall be reissued at the time the suspension is terminated in accordance with the terms of the attached Final Decision and Order. If the Board does not accept this Stipulation, Respondent's license shall be returned to the Respondent with a notice of the Board's decision not to accept the Stipulation.

Dated this 1 day of ~~November~~ ^{December}, 1995.


Deborah A. D. Senn, R.N.
Respondent

Dated this 8th day of November, 1995.


John R. Zwieg
Attorney for Complainant
Department of Regulation & Licensing
Division of Enforcement

SENNDSTN/se

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review, The Times Allowed For Each, And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN BOARD OF NURSING

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

January 16, 1996

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)



PDF: DE00000002080-19960111

Order Dates:

JAN 11, 1996

Respondent Names:

SENN, DEBORAH A. D., RN

Complaint IDs:

95NUR193

Profession:

REGISTERED NURSE

Boards:

NUR

Short Description:

SUSPENDED FOR A PERIOD OF AT LEAST TWO YEARS.

Case Summary:

HAD PERSONAL RELATIONSHIP AND FRIENDSHIP WITH A PATIENT, BOTH
WHILE RECEIVING TREATMENT AND AFTER TREATMENT TERMINATED.

