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STATE OF WISCONSIN
BEFORE THE SOCIAL WORKER SECTION
EXAMENING BOARD OF SOCIAL WORKERS
MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS AGAINST

DAWN S. WHITE, CSW

FINAL DECISION AND ORDER

RESPONDENT.

Case No. LS00051710SOC

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

*Dawn S. White, CSW
528 E. 4th Street
Richland Center, WI 53581*

*Social Worker 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 in this matter, subject to the approval of the Social Worker Section. The Section has reviewed this Stipulation and considers it acceptable.

following:

Accordingly, the Section in this matter adopts the attached Stipulation and makes the

FINDINGS OF FACT

1. Dawn S. White, Respondent, date of birth March 12, 1964, is currently certified as a social worker in the State of Wisconsin, pursuant to certificate number 5681, which was first granted on September 25, 1995.

[99 SOC 053]

2. Respondent was granted certification pursuant to the grand-parenting provisions of 1991 Act 160, §21(2)(a)2, based upon her having been employed as a social worker at some time between May 1, 1992 and April 30, 1993. In 1987, Respondent received a Bachelor of Arts degree with a major in Psychology from the University of Wisconsin - Platteville.

3. Respondent's last address reported to the Department of Regulation and Licensing is 528 E. 4th Street,

COUNT 11

4. From January 11, 1988 to October 27, 1999, Respondent was employed by Richland County Community Programs (RCCP) as a social worker. Respondent's job duties included managing the funds of her clients for whom RCCP was representative payee.

5. During the last few years Respondent was employed at RCCP, Respondent was having significant financial difficulties, as evidenced by:

- a. On March 4, 1996, Wisconsin Gas Co. brought a small claims action against Respondent for money owed.
- b. On September 23, 1996, Wisconsin Gas Co. brought a small claims action against Respondent for money owed.
- c. On December 22, 1997, Richland Medical Center, Ltd. brought a small claims action against Respondent for money owed.
- d. Respondent having been charged on December 29, 1997 with the ordinance violation of issuing worthless checks and being found guilty and ordered to pay a forfeiture on January 26, 1998.

6. From June, 1998 to August, 1999, Respondent was the social worker assigned to Mr. A, a client of RCCP for whom RCCP was the designated payee for Social Security, federal SSI, state SSI, and Mr. A's paycheck from Production Services, a sheltered workshop. Respondent managed Mr. A's representative payee functions.

7. During Respondent's employment, RCCP maintained a single checking account at the Richland County Bank in the name Richland County Community Programs, into which were directly deposited all social security checks, other state or federal payments and other funds payable to all clients for whom RCCP was designated as representative payee. The bank's computer maintained a record of all deposits and withdrawals attributable to each individual client and the client's balance within the combined account.

8. In the usual course of business checks for individual client costs, such as rent, utility bills, and other similar expenses were processed and printed by the computer at RCCP. On rare

occasions, a client's social worker would hand write a check on behalf of the client to pay unexpected or urgent costs, if a computer-generated check was not available when needed.

9. On August 19, 1999, the clients rights specialist at RCCP received a complaint from the guardian of Mr. A., alleging possible misuse and misappropriation of Mr. A's money which was being managed by RCCP.

10. Investigations of the allegations were conducted first by the client's right specialist and then by the Richland Center Police Department. As a result of the police investigation, on October 8, 1999, Respondent was charged, in Richland County Circuit Court case number 99 CR 000052, with Theft of more than \$2,500, in violation of § 943.20(l)(b) and 943.20(3)(c), Stats., a class C felony. That proceeding is not resolved at this time.

11. The investigations disclosed that Respondent hand wrote several checks on the Richland County Community Programs account made payable to Richland County Bank, which she indicated were for the benefit of Mr. A., and which Respondent cashed at Richland County Bank. The checks and the circumstances surrounding their issuance are:

- a. On August 4, 1998, Respondent cashed check # 50012 in the amount of \$165 on the Richland County Community Programs account indicating it was for the benefit of Mr.A. On the same day, she deposited \$110 of that money into her own account and kept the remaining amount in cash.
- b. On August 13, 1998, Respondent cashed check # 50047 in the amount of \$200 on the Richland County Community Programs account indicating it was for the benefit of Mr. A. On August 20, 1998, she deposited \$100 of that money into her own account and kept the remaining amount in cash.
- c. On August 21, 1998, Respondent cashed check # 50046 in the amount of \$280 on the Richland County Community Programs account indicating it was for the benefit of Mr. A.
- d. On August 28, 1998, Respondent cashed check # 50044 in the amount of \$375 on the Richland County Community Programs account indicating it was for the benefit of Mr. A.
- e. On September 4, 1998, Respondent cashed check # 50042 in the amount of \$110 on the Richland County Community Programs account indicating it was for the benefit of Mr. A.
- f. On October 1, 1998, Respondent cashed check # 50099 in the amount of \$370 on the Richland County Community Programs account indicating it was for the benefit of Mr. A. On the same day, she deposited \$350 of that money into her own account and kept the remaining amount in cash.

g. On October 22, 1998, Respondent cashed check # 50100 in the amount of \$875 on the Richland County Community Programs account indicating it was for the benefit of Mr. A. On the same day, she deposited \$800 of that money into her own account and kept the remaining amount in cash.

h. On October 27, 1998, Respondent cashed check # 50096 in the amount of \$375 on the Richland County Community Programs account indicating it was for the benefit of Mr. A. On the same day, she deposited \$150 of that money into her own account and kept the remaining amount in cash.

i. On November 5, 1998, Respondent cashed check # 50095 in the amount of \$75 on the Richland County Community Programs account indicating it was for the benefit of Mr. A. On the same day, she deposited \$50 of that money into her own account and kept the remaining amount in cash.

j. On November 16, 1998, Respondent cashed check # 50094 in the amount of \$275 on the Richland County Community Programs account indicating it was for the benefit of Mr. A. On the same day she deposited \$50 of that money into her own account and the next day, she deposited an additional \$170 of that money into her own account and kept the remaining amount in cash.

k. On November 24, 1998, Respondent cashed check # 50093 in the amount of \$1,500 on the Richland County Community Programs account indicating it was for the benefit of Mr. A. Respondent used the money for her own benefit.

l. On January 25, 1999, Respondent cashed check # 59899 in the amount of \$550 on the Richland County Community Programs account indicating it was for the benefit of Mr. A. On the same day, she deposited \$400 of that money into her own account and kept the remaining amount in cash.

m. On February 3, 1999, Respondent cashed check # 50149 in the amount of \$630 on the Richland County Community Programs account indicating it was for the benefit of Mr. A. On February 22, 1999, she deposited \$300 of that money into her own account and kept the remaining amount in cash.

n. On May 6, 1999, Respondent cashed check # 50205 in the amount of \$100 on the Richland County Community Programs account indicating it was for the benefit of Mr. A.

o. On June 9, 1999, Respondent cashed check # 50236 in the amount of \$150 on the Richland County Community Programs account indicating it was for the benefit of Mr. A.

follows:

p. On July 6, 1999, Respondent cashed check # 9899 in the amount of \$550 on the Richland County Community Programs account indicating it was for the benefit of Mr. A.

12. The funds Respondent received by cashing the checks set out in the preceding finding of fact were used by Respondent for her own personal purposes and not for the benefit of Mr. A.

13. Respondent ultimately returned \$2,000 of the money to the benefit of Mr. A as

i. On May 11, 1999, Respondent withdrew \$300 from her own account and deposited \$300 into Mr. A's savings account.

ii. On May 12, 1999 Certificate of Deposit # 59157 was issued at Richland County Bank for "[Mr. A] Irrev. Trust in Trust for Pratt Funeral Service, Inc. UAD 05/12/99" in the amount of \$ 1000.

iii. On August 17, 1999 Respondent was notified of the investigation being conducted by the client services representative. On August 19, 1999 Respondent withdrew \$400 from her own account and on August 23, 1999 Respondent told the client services representative that Respondent had found cash in Mr. A's room some time earlier and had placed it in a brief case in her office intending to deposit it, but had forgotten to do so. The client services representative found \$700 in cash in the brief case.

COUNT I1

14. §§ 943.20(l)(b) and 943.20(3)(c), Stats., are laws the circumstances of which relate to practice under Respondent's certificate.

COUNT III

15. In an effort to conceal her misappropriation of Mr. A's funds, Respondent made notes in Mr. A's records at RCCP, which contained false statements concerning the use of some of the money.

16. In an effort to conceal her misappropriation of Mr. A's funds, Respondent made false statements to her supervisors and to investigators concerning the use of some of the money.

CONCLUSIONS OF LAW

- 1 . The Social Worker Section of the Wisconsin Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has jurisdiction over this matter pursuant to §457.26(2), Stats.
2. The Social Worker Section of the Wisconsin Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has authority to enter into this stipulated resolution pursuant to §227.44(5), Stats.
3. Respondent by using her client's money for her own personal use, as set forth in Count 1, has engaged in gross negligence in practice, and has committed unprofessional conduct, as defined by Wis. Adm. Code §SFC 20.02(22), and is subject to discipline pursuant to §457.26(2)(f), Stats.
4. Respondent by engaging in the conduct set out above, violated §§ 943.20(l)(b) and 943.20(3)(c), Stats., and has committed unprofessional conduct, as defined by Wis. Adm. Code §SFC 20.02(2), and is subject to discipline pursuant to §457.26(2)(f), Stats.
5. Respondent by having reported distorted, false, or misleading information, and by having made false statements in practice, as set forth in findings of fact 15, and 16, has committed unprofessional conduct, as defined by Wis. Adm. Code §SFC 20.02(7), and is subject to discipline pursuant to §457.26(2)(f), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the certificate of Dawn S. White to practice as a social worker in the state of Wisconsin is hereby REVOKED, effective immediately.

IT IS FURTHER ORDERED that Respondent's alleged conduct, which is the basis for the criminal charges against Respondent in Richland County Wisconsin Circuit Court case number 99 CF 000052, has been considered in the discipline ordered in this matter. The resolution of those criminal charges, 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 Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin this 17' day of May, 2000.

Cornelia Gordon-Hempe

Chairperson

Social Worker Section