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CERTIFICATION BOARD

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Jeff Percy, MPA, Executive Director

February 16, 2001

Re: Complaint # : 2001-01
Complainant: Brian Fobian, CADCIH
Respondent: Brian Fobian, CADCIH

To: Board of Directors
Wisconsin Certification Board, Inc.

The Executive Committee having received the results of the investigation into the alleged misconduct of Brian Fobian, CADCIH and in conformity with its rules now makes the following:

FINDINGS OF FACT

The respondent, Brian Fobian:

1. was certified as a Wisconsin Certification Board, Inc. (WCB) Certified Alcohol/Drug Counselor II (CADCIH) on 3/5/1999 and moved to Certified Alcohol/Drug Counselor III (CADCIH) status on 10/22/1999;
2. had no previous complaints against him;
3. voluntarily made a self-complaint to the WCB;
4. was under WCB jurisdiction at the time of the alleged breach of the *Counselor Code of Conduct* (Rev. 1996) on 1/25/2001;
5. stipulated to the action of signing the Aro Counseling Centers' medical director's name in a former client's treatment record and to the behaviors identified in Aro Counseling Centers', Inc. 1/30/2001 formal reprimand received by the respondent; and
6. Patty Pendowski, CADCIH, CCSH, the respondent's clinical supervisor, affirmed that the respondent remains a valued employee of Aro Counseling Centers, Inc..

CONCLUSION

The respondent did sign Aro Counseling Centers' medical director's name in a former client's treatment record. Therefore, the Executive Committee concludes that the respondent, Brian Fobian, breached the *Counselor Code of Conduct* (Rev. 1996) Rules in the areas of Fraud Related Conduct and Records Management. Specifically the following *Counselor Code of Conduct* Rules:

Rule 5.5 A counselor shall not sign or issue in the counselor's professional capacity a document or a statement that the counselor knows or should have known to contain a false or misleading statement.

Rule 8.1 A counselor shall not falsify, amend, knowingly make incorrect entries, or fail to make timely essential entries into the client/patient record.

Complaint #: 2001-01 (cont.)

DECISION

Pursuant to Section V(A)3 of the WCB *Counselor Code of Conduct* (Rev. 1996) Brian Fobian, CADCIH hereby receives a Public Reprimand.

In addition, Brian Fobian is required to receive by March 15, 2002 education and training in the areas of Professional and Ethical Responsibilities that are identified within the Practice Dimensions of Addiction Counseling; and in the area of Professional Readiness that are identified within the Transdisciplinary Foundations (TF)¹. Specifically, Brian Fobian is to receive his education and training in the following Professional and Ethical Responsibilities and Professional Readiness areas:

PROFESSIONAL AND ETHICAL RESPONSIBILITIES

The obligations of an addiction counselor to adhere to accepted ethical and behavioral standards of conduct and continuing professional development.

- 8-1. Adhere to established professional codes of ethics that define the professional context within which the counselor works, in order to maintain professional standards and safeguard the client.
- 8-5. Utilize a range of supervisory options to process personal feelings and concerns about clients.
- 8-6. Conduct self-evaluations of professional performance applying ethical, legal, and professional standards to enhance self-awareness and performance.
- 8-8. Participate in ongoing supervision and consultation.
- 8-9. Develop and utilize strategies to maintain one's own physical and mental health.

PROFESSIONAL READINESS

- TF-D2. Understand the importance of self-awareness in one's personal, professional, and cultural life.
- TF-D3. Understand the addiction professionals obligations to adhere to ethical and behavioral standards of conduct in the helping relationship.
- TF-D4. Understand the importance of ongoing supervision and continuing education in the delivery of client services.

Verification of attendance must be sent to the WCB Executive Director on or before March 15, 2002.

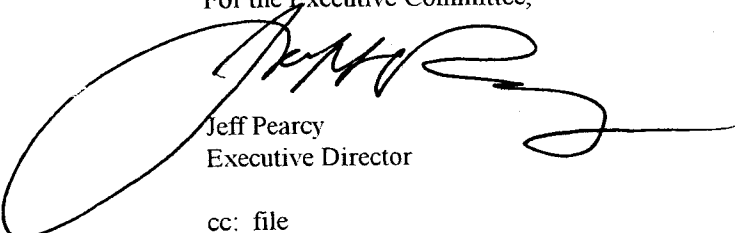
¹ Source: WCB *Counselor Certification Handbook* (October, 2000)

Complaint #: 2001-01 (cont.)

Finally, the Executive Committee recommends to the respondent that he address the stress and time management issues that were identified in the respondent's letter to the WCB dated January 30, 2001.

Please be advised of your rights to appeal, hearing, and reinstatement as outlined within the *Counselor Code of Conduct* in Sections VI and VII.

For the Executive Committee,



Jeff Percy
Executive Director

cc: file