

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

LAURIE A. SHERMAN,

RESPONDENT

FINAL DECISION AND ORDER

LS0203141SOC

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

Laurie A. Sherman

8700 N. 64th Street

Milwaukee, WI 53223

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.

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

FINDINGS OF FACT

1. Laurie A. Sherman, Respondent, date of birth September 1, 1958, was certified by the Social Worker Section as a social worker in the state of Wisconsin pursuant to certificate number 212, which was first granted August 2, 1993.
2. Respondent received her certification under the grandparenting provisions of Wis. Adm. Code § SFC 3.03 and the nonstatutory provisions of section 21 of 1991 Wisconsin Act 160 and therefore was not required to take and pass the examinations currently required for certification as a social worker.
3. Respondent has not renewed her certification since it expired on June 30, 2001, but could renew it pursuant to § 440.08(3)(a), Stats. and Wis. Adm. Code § SFC 1.08(2) by payment of fees and proof of completion of

continuing education requirements.

4. Respondent's last address reported to the Department of Regulation and Licensing is 8700 N. 64th Street, Milwaukee, WI 53223.

5. During the events of this matter, Respondent was employed as a social worker by The Salvation Army in Wauwatosa, Wisconsin.

6. Some time ago, Respondent was assigned as a Protective Payee for Ms. A to manage Ms. A's SSI benefits. Ms. A has a long history of mental health and AODA issues for which she has been receiving treatment for at least 30 years.

7. Ms. A received from Respondent a weekly allotment from her SSI check. When Respondent first became Ms. A's Protective Payee, Respondent saw Ms. A frequently at The Salvation Army. After a period of time, Respondent began mailing Ms. A's allotment check to her rather than giving it to her in person.

8. In June 2000, Respondent and Ms. A had a telephone conversation in which Ms. A said she had some dental work performed and that she needed money for her co-pay at another appointment that day.

9. Ms. A and Respondent met at Ms. A's apartment and Respondent gave Ms. A a check for the co-pay. Respondent told Ms. A that Respondent had a severe headache and Ms. A offered Respondent some of the hydrocodone Ms. A had received from her dentist. Respondent accepted and ingested the hydrocodone.

10. Hydrocodone is a narcotic analgesic and a Schedule II controlled substance pursuant to § 961.16(2)(a), Wis. Stats.

11. Ms. A told her therapist about her experiences with Respondent. The therapist reported Respondent's actions to Respondent's supervisors at The Salvation Army, who assigned a different worker to Ms. A.

12. On July 28, 2000, Respondent signed a "Last Chance Agreement" with The Salvation Army by which Respondent agreed that, in lieu of employment termination, Respondent would abide by the terms and conditions of the agreement. In the agreement, Respondent admitted that she obtained and ingested prescription medication from a client of The Salvation Army without authorization. Respondent is no longer employed by The Salvation Army.

13. Unlawfully obtaining possession of controlled substances is a violation of §§ 961.41(3g) and 961.43(1) and (2), Wis. Stats., which are laws the circumstances of which substantially relate to the practice under Respondent's credential.

14. Respondent contends that during the time of the above conduct, she was being treated for depression as a result of the death of her mother and fiancé and her condition had an effect on her judgment.

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's conduct, as set out above, is a violation of laws the circumstances of which substantially relate to the practice under her credential, in violation of Wis. Adm. Code § SFC 20.02(2), and subjects Respondent to discipline pursuant to § 457.26(2)(h), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. If Respondent ever desires to renew her certification as a social worker:

a. She shall provide proof sufficient to the Section that she does not suffer from any psychological condition which impairs her ability to function as a social worker.

b. The decision whether to grant Respondent certification, with or without limitations, shall be in the sole discretion of the Section.

2. Any petition for certification and any submissions required by this Order shall be mailed, faxed or delivered to:

Department Monitor

Department of Regulation And Licensing

Division of Enforcement

1400 East Washington Ave.

P.O. Box 8935

Madison, WI 53708-8935

Fax: (608) 266-2264

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

Dated at Madison, Wisconsin this 14th day of March, 2002.

Douglas Knight

Chairperson

Social Worker Section