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IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : LS0303272SOC
CARLA C. JENSEN, L.C.S.W., :
RESPONDENT. :

FINAL DECISION AND ORDER

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. Carla C. Jensen, L.C.S.W., Respondent, date of birth December 28, 1950, is licensed by the Social Worker Section as a clinical social worker in the State of Wisconsin pursuant to license number 1213. She was first credentialed September 27, 1993. (Prior to a statutory change effective 11/01/02, Respondent's credential was a certificate as an independent clinical social worker.)

2. Respondent's last address reported to the Department of Regulation and Licensing is 1087 W. River Street, Suite 250, Boise, ID 83713. Respondent moved from Wisconsin December 31, 2002.

COUNT I

3. Respondent provided evaluation and psychotherapy to Ms. A during sixteen sessions from September 18, 2001 to February 14, 2002. Although the therapy was primarily addressing other issues, Ms. A also discussed issues concerning her current relationship with a man.

4. On February 20, 2002, Respondent called Ms. A and left a lengthy message on Ms. A's telephone answering machine. Among other things, the message included confidential information about the man Ms. A had discussed with Respondent in therapy.

5. Respondent knew that Ms. A lived alone, but:

a) did not know whether another person, including the man himself, may have heard the message as she was leaving it, if that person were visiting Ms. A and Ms. A used the machine to screen calls.

b) She did not know whether another person, including the man himself, may have heard the message, if that person were visiting Ms. A while Ms. A checked her messages.

6. By including confidential information in a message Respondent left on Ms. A's telephone answering machine, Respondent revealed facts, data, information or communication received from a client in a professional capacity.

COUNT II

7. As part of the investigative process in this matter, the Division of Enforcement (DOE) investigator sent Respondent a letter, with a consent for release of information form signed by Ms. A. The letter asked that Respondent respond to the allegations of the complaint and provide copies of the treatment and billing records.

8. On June 12, 2002, DOE received the following from Respondent:

- a. Copy of typewritten "Financial Agreement," with the client's name handwritten near the top by Respondent.
 - i. Although its language indicates it is to be signed by the client (it begins "I hereby authorize Carla Jensen" and uses "I" four more times), it is not signed by the client.
 - ii. It is signed and dated in Respondent's handwriting "Carla Jensen, Ph.D. 10/4/01." It is apparent that the year in the date had been "whited out" before the "01" was added.
 - iii. It contains a change from "\$175" per session to "\$20," the initials CJ and the date 10/04/01, all in Respondent's handwriting. It is apparent that the year in the date had been "whited out" before the "01" was added.
- b. Copy of a two page typewritten "Diagnostic Assessment and Treatment Plan," with the client's name near the top. It is signed and dated in Respondent's handwriting "Carla Jensen, Ph.D. 10/4/01." It is apparent that the year in the date had been "whited out" before the "01" was added.
- c. Copy of a three page typewritten "Discharge Summary," with the client's name included in the text. It is signed and dated in Respondent's handwriting "Carla Jensen, Ph.D. 4/08/02."
- d. Copies of three pages of progress notes in Respondent's handwriting containing notes of sessions with dates: 10/4/01, 10/11/01, 11/8/01, 11/15/01, 11/19/01, 11/29/01, 12/13/01, 12/20/01, 1/03/02, 1/17/02, 1/24/02, 1/21/02, 2/7/02 and 2/14/02. It is apparent that in all eight of the notes containing the year "01," the year in the date had been "whited out" before the "01" was added.

9. On November 7, 2002, Respondent stated, under oath:

- a. That prior to sending the records to DOE, she reviewed them and noted that some of the records contained the year 2001.
- b. She became confused and thought that all of the services she provided to the former client had taken place in 2002.

- c. In an effort to correct the records, she whited out the "01" in many of the dates and was going to insert "02."
- d. She then noted that the records had been correct because the services had begun in 2001 and ended in 2002.
- e. She then replaced the "01's" on the records.
- f. The records were made contemporaneously with the sessions and she did not create the records after receiving a request from DOE for the records.

10. Respondent, by not telling DOE about the modifications to the records when she sent them and not disclosing the changes until she was questioned under oath on November 7, 2002, reported misleading information in practice.

CONCLUSIONS OF LAW

1. The Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Board has jurisdiction over this matter pursuant to § 457.26(2), Stats.

2. The Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Board has authority to enter into this stipulated resolution pursuant to § 227.44(5), Stats.

3. Respondent, by the conduct set out in Count I, inappropriately revealed facts, data, information, records or communication received from a client in a professional capacity, in violation of Wis. Adm. Code § MPSW 20.02(10), and is subject to discipline pursuant to § 457.26(2)(f), Stats.

4. Respondent, by the conduct set out in Count II, reported misleading information in practice in violation of Wis. Adm. Code § MPSW 20.02(7), and is subject to discipline pursuant to § 457.26(2)(f), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Carla C. Jensen, L.C.S.W., is REPRIMANDED for the conduct set out above.

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 27th day of March, 2003.

George J. Kamps, L.C.S.W.

Chairperson

Social Worker Section