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STATE OF WISCONSIN

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

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST : **ORDER DENYING**
: **REQUEST FOR**
HEROLD JOHN HEROD, : **TERMINATION OF**
RESPONDENT. : **SUSPENSION**

Herold John Herod
P.O. Box 18753
Milwaukee, WI 53218

By stipulation approved on March 26, 1997, the Social Worker Section suspended Mr. Herod's certificate as an independent clinical social worker (equivalent to a current license as a clinical social worker) for a period of at least two years.

Paragraph 3 of the order stated, in relevant part, "that Respondent may petition the Section 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, [etc.]
- b. The practitioner performing the assessment must have been approved by the Section, [etc.]
- c. Respondent must provide proof sufficient to the Section that Respondent can practice with reasonable skill and safety of clients and public. [etc.]"

The Section received and reviewed the assessment report dated April 2, 2003 of Joan R. Nuttall, Ph.D., Consulting Psychologist. Dr. Nuttall reported numerous positive aspects of her assessment of Mr. Herod, and she commended Mr. Herod for his candor. Nevertheless, she expressed reservations about the safety of future clients if Mr. Herod returns to the practice of clinical social work. Dr. Nuttall made recommendations for limitations on Mr. Herod's license which she believed would be necessary to insure the safety of future clients, but the Social Worker Section determined that Mr. Herod has not proven that he can practice with reasonable skill and safety regarding clients and the public. Therefore,

IT IS ORDERED that the request by Herold John Herod for termination of the suspension of his credential as a clinical social worker is denied.

Paragraph 4 of the Final Decision and Order stated that "if Respondent believes that the Section's refusal to end the suspension is inappropriate or that any limitation imposed or maintained by the Section 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 Section's decision is arbitrary or capricious."

Dated: September 3, 2003.

George Kamps, Chair
Social Worker Section