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STATE OF WISCONSIN
BEFORE THE SOCIAL WORKER SECTION
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING
AND SOCIAL WORK EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	LS0403037SOC
SUSAN P. HUYCKE, L.C.S.W.,	:	
RESPONDENT.	:	

FINAL DECISION AND ORDER

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

Susan P. Huycke, L.C.S.W.
P.O. Box 147
North Lake, WI 53064

Social Worker Section
Marriage and Family Therapy, Professional Counseling
and Social Work Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. 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. Susan P. Huycke, L.C.S.W., Respondent, date of birth March 17, 1962, is licensed by the Social Worker Section as a clinical social worker in the state of Wisconsin pursuant to license number 2915, which was first granted September 1, 1994. (Prior to a statutory change effective 11/01/02, Respondent's credential was a certificate as an independent clinical social worker.)
2. Respondent received a Master's Degree in Social Work from the University of Wisconsin-Milwaukee on May 14, 1989 and was granted certification pursuant to the grandparenting provisions of 1991 Wisconsin Act 160, § 21(2)(b). For this reason, Respondent did not take the examination otherwise required for certification.
3. Respondent's last address reported to the Department of Regulation and Licensing is P.O. Box 147, North Lake, WI 53064.
4. During the events of this matter, Respondent was employed as a clinical social worker at what was then known as the Counseling Center for Waukesha Memorial Hospital.
5. Beginning in the Fall/Winter of 1994, Respondent provided approximately six outpatient psychotherapy sessions to Mr. A (DOB 1/2/58), addressing his personal and family issues. Respondent and Mr. A agreed that further psychotherapy was not required. A closure session was held and therapy was terminated. The records of treatment can not be found and the dates must be estimated.

6. As Mr. A was leaving the session, he told Respondent he would like to see her socially but added that it would be her decision. Respondent told Mr. A that she was not sure whether it would be possible but indicated she would let him know.

7. At the time Respondent was considering whether to enter into a social relationship with Mr. A, which had the potential to become a sexual relationship, the Section's rules prohibited Respondent from having sexual contact with Mr. A, a former client. Wis. Admin. Code § SFC 20.02(11) [currently MPSW 20.02(11)], which became effective as an emergency rule on 4/26/93 and became a permanent rule on 12/1/93, states:

“Engaging in sexual contact, sexual conduct, or any other behavior with a client which could reasonably be construed as seductive. For purposes of this rule, a person shall continue to be a client for 2 years after the termination of professional services.”

8. Although Respondent had become a certified independent clinical social worker a few months prior to considering whether to enter into the relationship with Mr. A, she made no inquiries of the Section or the Department of Regulation and Licensing to determine if such conduct was prohibited.

9. Respondent contends that she did make inquiries of the following sources and was informed that there were no written guidelines regarding socializing with former clients; that it was a gray area and that she should use her best professional judgment regarding potential harm to the former client.

- a. Her ex-spouse who was also a certified independent clinical social worker.
- b. The National Association of Social Workers (NASW), which did not at that time have a rule addressing the issue.
- c. A former therapist, who does not now recall the inquiry.

10. Respondent concluded that Mr. A appeared to be a stable individual who was experiencing some transitory difficulties with job issues and general social relationships. Respondent did not believe Mr. A suffered from any serious psychological issues which would place him on an unequal footing with her as a result of the therapeutic relationship.

11. Respondent then called Mr. A to commence a social relationship. They began dating around Christmas 1994, began a sexual relationship and subsequently married on May 18, 1995. Respondent and Mr. A had a child together in April 1997. Respondent filed for divorce in December 1997 and they are now divorced.

12. On February 7, 2003, Respondent voluntarily attended and completed *Professional Boundaries and Ethics*, a four credit continuing education course offered by the Helen Badger School of Social Welfare of the University of Wisconsin–Milwaukee.

13. From September 24, 2003 to the present, while possible resolutions of this matter were being discussed, Respondent has not practiced as a clinical social worker and has not represented herself to the public as a social worker. Respondent has provided an affidavit to the Division of Enforcement (Division) confirming that she has not practiced or represented herself as a social worker during that period.

14. Respondent consented to being evaluated by Dr. David Goldfoot, a psychologist recommended by the Division. Dr. Goldfoot's November 16, 2003 report of psychological evaluation, among other things, concluded:

Respondent does not suffer from any significant mental condition.

Respondent does not present an immediate danger to clients.

Respondent could benefit from individual psychotherapy to address the vulnerabilities to her judgment identified in the evaluation.

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 of this matter pursuant to § 227.44(5), Stats.
3. Respondent, by engaging in sexual conduct with a former client within 2 years of termination of professional service, has committed unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(11), and is subject to discipline pursuant to § 457.26(2)(f), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

The license of Susan P. Huycke, L.C.S.W., to practice as a clinical social worker in the state of Wisconsin is hereby SUSPENDED for a period of one year. The effective date of the commencement of the suspension is retroactive to September 24, 2003, when she ceased practice.

Following the one year suspension, Respondent's license shall be limited as follows:

1. Prior to commencing practice as a Clinical Social Worker, Respondent shall provide evidence to the Section that Respondent has taken and completed a course or courses providing 12 additional hours of continuing education regarding ethical conduct by psychotherapists. The course or courses shall first be approved by the Section or its designee.
2. Respondent shall enter into or continue in psychotherapy with a mental health care professional (Therapist), who shall first be approved by the Section, or its designee. In the event the Therapist ceases to perform that role, Respondent shall immediately seek the Section's approval of a successor Therapist.
 - a. Respondent shall immediately provide any Therapist with copies of:
 - i. This Final Decision and Order.
 - ii. Dr. Goldfoot's evaluation report dated November 16, 2003.
 - b. The Therapist shall provide Respondent with psychotherapy to address the vulnerabilities to her judgment identified in Dr. Goldfoot's evaluation and any other issues identified by the Therapist.
 - c. The schedule of treatment shall be determined by the Therapist, but Respondent shall be seen at least one time each month.
 - d. Respondent shall cooperate with and follow all recommended treatment.
 - e. Treatment shall continue until such time as the Therapist recommends that it be ended and the Section accepts that recommendation.
 - f. Respondent shall provide and keep on file with the Therapist current releases which comply with state and federal laws authorizing release to the Section of all medical and treatment records and reports relating to care provided on or after March 3, 2004, and permitting the Therapist to disclose and discuss the progress of Respondent's treatment and rehabilitation on and after March 3, 2004 with the Section or any member thereof, or with any employee of the Department of Regulation and Licensing acting under the authority of the Section. Copies of these releases shall be filed simultaneously with the Department Monitor.
 - g. The costs of treatment shall be the responsibility of Respondent.

h. The Therapist shall submit quarterly reports to the Section regarding Respondent's participation and progress in treatment. Submission of the reports by the Therapist shall be Respondent's responsibility. The due date for the first report and subsequent reports shall be determined by the Department Monitor.

i. Upon becoming aware that Respondent has failed to cooperate with treatment, or has otherwise violated the terms of this Order, the Therapist shall immediately submit written notification to the Section.

3. If Respondent fails to cooperate with treatment, or otherwise violates the terms of this Order, Respondent shall immediately submit written notification to the Section.

4. Respondent shall provide her supervisor, at any future place of employment as a Clinical Social Worker, with a copy of this Final Decision and Order, prior to commencing that employment.

5. Respondent may at any time petition the Section and seek modification or ending of any limitation. The decision whether to grant the petition shall be in the sole discretion of the Section. If Respondent believes that the Section's refusal to modify or end a limitation imposed or maintained by the Section is inappropriate, Respondent may seek a class 1 hearing pursuant to § 227.01(3)(a), Stats., in which the burden shall be on Respondent to show that the Section's decision is arbitrary or capricious. The limitations on Respondent's license shall remain in effect until there is a final decision in Respondent's favor on the issue.

6. Any requests, petitions and information under 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
Telephone: (608) 267-3817

7. Violation of any term or condition of this Order may constitute grounds for revocation of Respondent's license as a clinical social worker in Wisconsin. Should the Section determine that there is probable cause to believe that Respondent has violated the terms of this Order, the Section may order that Respondent's license be summarily suspended pending investigation of and hearing on the alleged violation.

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

Dated at Madison, Wisconsin this 3rd day of March, 2004.

George J. Kamps, L.C.S.W.
Chairperson
Social Worker Section