

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE PSYCHOLOGY EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	LS0405053PSY
KATHLEEN M. ROBLEE, PHD,	:	
RESPONDENT.	:	

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FINAL DECISION AND ORDER

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

Kathleen M. Roblee, Ph.D.  
P. O. Box 10742  
Green Bay, WI 54307-0742

Wisconsin Psychology 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 of this matter, subject to the approval of the Psychology Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Kathleen M. Roblee, Ph.D., Respondent, date of birth January 8, 1948, is licensed by the Wisconsin Psychology Examining Board to practice psychology in the state of Wisconsin pursuant to license number 678, which was first granted February 17, 1978.
2. Respondent's last address reported to the Department of Regulation and Licensing is P. O. Box 10742, Green Bay, WI 54307-0742.

COUNT I

3. From January 30, 1978 to December 31, 1997, Respondent was a faculty member of the graduate level Counselor Education Program ("CEP") at the University of Wisconsin-Oshkosh ("UW-O"). Respondent was also the chairperson of the admissions committee for the program.
4. Respondent also had a private practice as a psychologist at New Horizons Center in Oshkosh, Wisconsin from December 29, 1992 until January 13, 1995.

Ms. A –Psychotherapy Client

5. Ms. A was a psychotherapy client in Respondent's private practice from October of 1992 to November 5, 1994:

- a. During treatment sessions beginning in the spring, 1994, Respondent spent time discussing details of Respondent's personal life. Respondent believed "self disclosure" was an appropriate therapeutic technique, in that situation.
- b. When Ms. A expressed interest in entering the CEP, Respondent provided her with information about the program. When Ms. A applied to the program in 1994, Respondent, as a member of the admissions committee, voted to grant Ms. A an admission interview, but abstained from the final vote to admit Ms. A to the program.
- c. Ms. A was knowledgeable about motorcycles. At Respondent's request, Ms. A made arrangements for Respondent to purchase a motorcycle from a friend of Ms. A. Because Respondent did not know how to drive a motorcycle, Ms. A went with Respondent when she purchased it. They took it for a test ride with Ms. A driving and Respondent's arms wrapped around Ms. A's waist.
- d. Ms. A visited Respondent at Respondent's home, without objection from Respondent at that time.
- e. Respondent sold Ms. A a used camper.
- f. Ms. A played on a softball team in the summer of 1994. Respondent attended two of the games. After one evening game, Ms. A and Ms. A's friends went to a restaurant and Respondent joined them. Afterward, in the restaurant parking lot, Respondent hugged and kissed Ms. A and told her she loved her. Respondent describes the kiss as being on Ms. A's forehead and a result of maternal counter-transference.
- g. Respondent saw Ms. A and her partner socially. Respondent attended a party at their home and visited their home.
- h. Ms. A contends that in counseling sessions, Respondent brought up things that had happened when she was with Ms. A socially and that in social settings, Respondent brought up things that happened in sessions. Respondent denies these contentions.
- i. Respondent also provided counseling to Ms. A's partner from 1992 to 1995. Some sessions were individual sessions and others were joint sessions with Ms. A. Ms. A says that on several occasions, Respondent told Ms. A what her partner had said in individual sessions and told Ms. A's partner what Ms. A had said in individual sessions. Respondent says she was careful not to disclose to the other partner information received in individual sessions and denies Ms. A's contention.

#### Ms. B, C and D – Students in Counselor Education Program

- 6. Respondent's teaching as a faculty member of the CEP was within the practice of psychology and is subject to Wis. Adm. Code § 5.01, Professional Conduct. From 1992 to present, the American Psychological Association's Code of Ethics, which § 455.08, Stats., requires the Board to use as a model for the Board's misconduct code, has specifically prohibited psychologists from having inappropriate multiple relationships with students.
- 7. From 1992 through 1995, Respondent engaged in inappropriate social relationships with Ms. B, C and D, who were students in the CEP.
- 8. When UW-O learned of Respondent's conduct, set out in Findings of Fact 5 and 7, she was suspended from her faculty position. Respondent ultimately resigned her position, effective December 31, 1997.

#### COUNT II

- 9. Respondent was employed as a psychologist at Wisconsin Resource Center ("WRC") from November 10, 1997 to December 20, 1999.

10. WRC is a Department of Health and Family Services medium security facility, providing individualized care for inmates transferred from Department of Corrections medium and maximum security institutions. Its mission is to provide specialized mental health treatment, rehabilitation, training and supervision to inmates serving criminal sentences. These individuals have been transferred to the Wisconsin Resource Center because their behavior poses problems to themselves and others in correctional environments where appropriate treatment may not be available.

11. A policy and a work rule at WRC prohibit employees' fraternization with inmates receiving treatment. The intent of the fraternization policy and rule is to forbid relationships that may create conflicts of interest and to provide security for inmates and staff at WRC.

12. Respondent was aware of the fraternization policy and work rule at WRC. She had received an Employee Handbook when first employed at WRC and signed an acknowledgment stating that she had received a copy of the WRC fraternization policy and that she would follow that policy.

13. From October of 1998 until December of 1999, Respondent engaged in a personal relationship with Inmate E, who was receiving treatment at WRC from October 1, 1998 to February 17, 1999 and again from July 23, 1999 to December 17, 1999. The personal relationship with him was a violation of the fraternization policy and rule.

14. Respondent did the following in her relationship with Inmate E:

a. From August 30, 1999 through October 7, 1999, Respondent purchased and provided four money orders totalling \$450.00 to Inmate E. In purchasing the money orders, Respondent used a name other than her own.

b. Respondent wrote numerous letters to Inmate E in the fall of 1999, and signed the letters in a manner to conceal her identity as the author. In the letters, Respondent discussed intimate subjects with Inmate E. In her letters, Respondent said their relationship was evidence her actions were governed by her emotions and not by thinking or logic.

c. Respondent had unauthorized communications with Inmate E's mother.

d. Respondent often took Inmate E out of his room and talked with him in the day room.

e. From September to November, 1999, Respondent frequently visited Inmate E from 1 to 2 hours at a time. Many of these meetings took place off unit in an open area in the H dining area.

f. Respondent was to keep her office door unlocked when inmates were in the office with her, but the door was sometimes locked when Respondent had inmates in her office.

15. Respondent performed psychological testing on Inmate E. On November 2, 1999, Respondent told the unit manager, who was Respondent's supervisor, that she wanted to enroll Inmate E in Mental Health Program classes. The unit manager said that Respondent could provide individual psychotherapy to Inmate E until he left in January.

- The unit manager contends he told Respondent not to enroll Inmate E in any multidisciplinary program, because he was already "PRC'd out" and would be leaving WRC to return to prison. Enrolling Inmate E would prevent Inmate E's transfer.

- Respondent contends that the unit manager said Inmate A could be enrolled in the classes until he left in January.

- Later that day, Respondent told a unit social worker to enroll Inmate E in a Mental Health Program class.

16. On December 20, 1999, after Respondent received a letter from the Director of the Wisconsin Resource Center informing her of his intent to terminate her employment due to violation of the Wisconsin Resource Center Fraternization Policy, Respondent handed her resignation letter to the Human Resources Director. Her resignation was accepted in lieu of

termination.

### ALL COUNTS

17. Following the events set out in Count I, Respondent was evaluated by a psychologist experienced in evaluating professionals with boundary problems. That evaluation report, among other things, recommended:

- a. Respondent receive regular intensive individual therapy with treatment goals of:
  - i. Reinstating reliable behavior controls and judgment without a return to the previous over control pattern.
  - ii. Improving Respondent's ability to handle and integrate strong affect without impairment of behavioral controls or judgment.
  - iii. Developing a stable sense of self worth, without vacillation between grandiosity and self-deprecation.
- b. Training and education in professional boundaries and ethics, reducing risk in practice style, and management of personality disordered clients. Because of Respondent's naiveté in those areas, review courses would be insufficient and the focus needed to be on extensive skill-building.
- c. Her practice be limited to non-independent, structured work settings, where her work could be readily observed and reviewed. Working as a prison psychologist fits within this recommendation.
- d. She have supervision of her cases, with the supervisor having the ability to review any and all of Respondent's cases.

18. Following Respondent's meetings with the evaluating psychologist, Respondent commenced individual psychotherapy with an Appleton psychologist on November 3, 1997.

- a. In February of 1998, Respondent provided her treating psychologist with the written evaluation report.
- b. Although she was receiving therapy during the time of Respondent's conduct relating to Inmate E, Respondent never raised or discussed those issues with her psychologist.
- c. During the 25 months of therapy until her resignation from WRC, Respondent had 26 therapy sessions.

19. Following her meetings with the evaluating psychologist and while employed at WRC, Respondent completed the following continuing education in ethics:

- a. *Professional Liability and Risk Management*, 12/03/97, 6 hours.
- b. *Open Forum: New Ethics Code*, 02/25/98, 3 hours.
- c. *Ethical Dilemmas in Forensic Psychology*, 03/21/98, 7 hours.
- d. *Contemporary Legal and Ethical Issues in Mental Health*, 04/29/99, 8 hours.
- e. *Ethics for Psychologists*, 06/01/99, 8 hours.

20. Subsequent to the events in Count II, Respondent completed the following continuing education in ethics:

- f. *A Topical Primer on the Most Common Ethical Violations by Mental Health Professionals (and) How to Violate Your Ethical Guidelines and Lose Your License Without Even Trying*, 03/21/01, 8 hours.
- g. *Clinical Supervision: Ethics, Boundary, Practice*, 03/29/01, 6 hours.
- h. *Ethics*, 09/10/01, 4 hours.
- i. *Ethics and Legal Safeguards: Child Custody*, 02/22/02, 4 hours.
- j. *Professional Practice and Supervision under the New American Psychology Association Ethics Code*, 02/07/03, 6 hours.

21. Following her termination from WRC, Respondent continued in psychotherapy with the Appleton psychologist. Beginning February 22, 2000, they had 22 sessions that year. They had 23 sessions in 2001, 20 sessions in 2002 and have met approximately monthly during 2003. The psychologist has prepared a treatment summary, which was received by the Division of Enforcement on October 20, 2003. The psychologist concluded the summary with his opinion:

“Dr. Roblee has been highly motivated to understand herself and change the behaviors and the emotional issues that had resulted in the past inappropriate decisions and boundary violations. I believe that she has used therapy appropriately to facilitate this change and that she has shown significant growth and successful attainment of her goals in therapy. In addition, I feel that she is capable of functioning in the ethical guidelines established for psychology and that she does not pose a significant risk for causing harm to others while functioning as a psychologist. I feel that she has a sincere desire to be of service to others and that she will continue to actively monitor her perceptions and decision making to prevent further negative consequences from occurring.”

22. Since resigning from WRC in December 1999, Respondent has worked as a consulting psychologist under contract to clinics and other entities. She does not provide individual psychotherapy to clients. The majority of Respondent’s work is under a contract with a clinic in Green Bay. Respondent also provides consulting services under contract to other entities.

23. Other than the complaints contained in the present investigations, neither the Division of Enforcement nor the Board have ever received other complaints regarding Respondent’s conduct.

### CONCLUSIONS OF LAW

1. The Wisconsin Psychology Examining Board has jurisdiction over this matter pursuant to § 455.09, Stats.

2. The Wisconsin Psychology Examining Board has authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.

3. Respondent, by engaging in the conduct set out in Count I, has committed unprofessional conduct as defined by Wis. Adm. Code § Psy 5.01(2) [gross negligence] and (17) [dual relationships] and is subject to discipline pursuant to § 455.09(1) (g) and (h), Stats.

4. Respondent, by engaging in the conduct set out in Count II, has committed unprofessional conduct as defined by Wis. Adm. Code § Psy 5.01(2) [gross negligence] and (17) [dual relationship] and is subject to discipline pursuant to § 455.09(1) (g) and (h), Stats.

### ORDER

IT IS HEREBY ORDERED:

#### Suspension

A. Effective the date of this Order, the license to practice psychology of Kathleen M. Roblee, Ph.D. is SUSPENDED for a period of one (1) year, the maximum suspension allowed by § 455.09(1), Stats.

#### Stay of Suspension

1. The suspension is stayed immediately and shall remain stayed so long as Respondent is in compliance with the conditions and limitations imposed on Respondent in Section C of this Order.

2. The Board may without hearing remove the stay, or commence other appropriate action, upon receipt of information that Respondent has violated any of the terms or conditions of this Order. Upon removal of the stay, the suspension becomes effective immediately upon notice being provided to Respondent or her counsel.

3. If Respondent requests a hearing on a removal of the stay, a hearing shall be held within 90 days in accordance with the procedures set forth in ch. RL 1, Wis. Adm. Code. The suspension shall not be stayed during the pendency of that hearing process.

### Limited License

- B. One year from the date of this Order, the license of Respondent shall be reinstated as a limited license subject to the limitations set out in section C of this Order.

### Conditions and Limitations

- C. During the one year suspension, Respondent shall be entitled to a stay of the suspension so long as Respondent remains in compliance with the conditions and limitations set out in this section of this Order. Following the one year suspension, Respondent's license is LIMITED, as follows:

### Practice Limitations

1. Respondent shall not provide psychotherapy or counseling to clients, unless another licensed or certified therapist or counselor is present in the session.
2. Beginning 30 days from the date of this Order, Respondent shall work as a psychologist no more than 45 hours per week, averaged over a month.

### Evaluation

3. Respondent shall, at Respondent's own expense, undergo a psychological evaluation by a psychologist (Evaluator) experienced in evaluating health care providers who have had inappropriate professional boundaries with patients or clients.
  - a. The Evaluator must have been approved by the Board, with an opportunity for the Division of Enforcement to make its recommendation, prior to the evaluation being performed.
  - b. The Evaluator must never have provided treatment to Respondent.
  - c. Prior to the evaluation, Respondent shall provide the Evaluator with:
    - i. This Final Decision and Order.
    - ii. Dr. Gonsiorek's evaluation report dated January 30, 1998.
    - iii. Dr. Haanstad's treatment summary dated October 9, 2003.
    - iv. A copy of Dr. Haanstad's complete treatment records.
    - v. An executed release authorizing Dr. Haanstad to discuss Respondent's treatment with the Evaluator.
  - d. The evaluation shall address the reasons why Respondent engaged in the conduct set out in the Findings of Fact and make recommendations for conditions or limitations on Respondent's license, which will allow Respondent to practice with reasonable safety to clients and public.
  - e. A final written evaluation report by the Evaluator shall be filed with the Board within 120 days of the date of this Order. The due date of the report shall be extended by the Board for reasonable delays not caused by Respondent.
  - f. The Board may use the results of the evaluation to modify the limitations set out in paragraph C and the subparagraphs.

### Psychotherapy

4. Within 30 days, Respondent shall commence psychotherapy with a mental health care professional (Therapist), who shall first be approved by the Board, or its designee.

- a. The Therapist shall have experience treating health care providers who have had inappropriate professional boundaries with patients or clients or have other experience acceptable to the Board. In the event that the approved Therapist ceases to be the Therapist, Respondent shall immediately seek the Board's approval of a successor Therapist.
- b. Upon commencing therapy, Respondent shall immediately provide any Therapist with copies of:
  - i. This Final Decision and Order.
  - ii. Dr. Gonsiorek's evaluation report dated January 30, 1998.
  - iii. Dr. Haanstad's treatment summary dated October 9, 2003.
  - iv. A written self-assessment reflecting upon Respondent's reasons for the violations she committed in light of what she now knows about herself and professional-client boundaries.
- c. Upon completion of the evaluation report required by paragraph 3, Respondent shall provide a copy of the evaluation to the Therapist.
- d. The Therapist shall provide Respondent with psychotherapy to address any issues identified by the evaluation. The psychotherapy shall also address:
  - i. Reinstating reliable behavior controls and judgment without a return to the previous over control pattern.
  - ii. Improving Respondent's ability to handle and integrate strong affect without impairment of behavioral controls or judgment.
  - iii. Developing a stable sense of self worth, without vacillation between grandiosity and self-deprecation.
- e. The schedule of treatment shall be determined by the Therapist, but Respondent shall be seen at least one time each month.
- f. Respondent shall cooperate with and follow all recommended treatment.
- g. Treatment shall continue until such time as:
  - i. The Therapist determines that the treatment goals have been met.
  - ii. Respondent has a second evaluation by Evaluator, or if Evaluator is not available, by another psychologist approved by the Board. The treatment records of all Therapists shall be provided to the Evaluator. The Board shall receive a copy of the second evaluation.
  - iii. The Board agrees that treatment goals have been met and that therapy may end.
- h. Respondent shall provide and keep on file with the Therapist current releases which comply with state and federal laws authorizing release of all medical and treatment records and reports to the Board, and permitting the Therapist to disclose and discuss the progress of Respondent's treatment and rehabilitation with the Board or any member thereof, or with any employee of the Department of Regulation and Licensing acting under the authority of the Board. Copies of these releases shall be filed simultaneously with the Department Monitor.
- i. The costs of treatment shall be the responsibility of Respondent.
- j. The Therapist shall submit quarterly reports to the Board 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.



k. 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 Board.

### Supervision

5. Within 30 days of the date of this Order, Respondent shall obtain a mental health professional at each location at which Respondent provides services as a psychologist to serve as Respondent's supervisor (Supervisor) on site at that location, for purposes of this Order. If Respondent provides services as a psychologist at a new location, following the date of this Order, Respondent shall obtain a mental health professional to serve as Respondent's supervisor (Supervisor) on site at that location, within 30 days of beginning at that location.

a. The Supervisor shall first be approved by the Board, or its designee. The information submitted to the Board for use in determining whether to approve the person as Supervisor, shall include a detailed explanation of the manner in which supervision will take place, which shall be signed by the potential supervisor.

b. The Supervisor shall have the ability to review any and all of Respondent's practice and records at that place of employment.

c. Respondent shall immediately provide the Supervisor with a copy of this Final Decision and Order.

d. The supervision shall consist of:

- i. Respondent initially meeting with the Supervisor to discuss Respondent's complete existing caseload and practice.
- ii. The Supervisor shall review ongoing cases to address, among other things, any issues relating to boundaries or difficulties Respondent may be having in her practice.

e. The Supervisor shall submit formal written reports to the Board every three months, with the first report due three months from the date of this Order. The reports shall indicate whether Respondent has continued to meet with the Supervisor and the frequency of meetings; whether Respondent has followed the Supervisor's recommendations; and, shall assess Respondent's progress in supervision. Respondent shall be responsible for the timely filing of these reports.

f. Upon becoming aware that Respondent has failed to cooperate with supervision, or has otherwise violated the terms of this Order, the Supervisor shall immediately submit written notification to the Board.

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

7. All requests, notifications and reports 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

8. Respondent may petition the Board for modifications of the limitations at any time, but it shall be in the sole discretion of the Board whether to grant any petition, in whole or in part.

9. If Respondent believes that any limitation imposed or maintained by the Board 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 Board'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.

10. Violation of any term or condition of this Order, or of any limitation imposed under this Order, may constitute grounds for revocation of Respondent's license to practice psychology in Wisconsin. Should the Board determine that there is probable cause to believe that Respondent has violated the terms of this Order, or any limitation, the Board 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 Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated at Madison, Wisconsin this 5<sup>th</sup> day of May, 2004.

Mariellen Fischer, Ph.D.  
Chairperson  
Psychology Examining Board