

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	LS0502023SOC
MARK P. PETERSON, C.S.W.	:	
RESPONDENT.	:	

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FINAL DECISION AND ORDER  
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The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Mark P. Peterson, C.S.W.  
531 Brookstone Way  
Watertown, WI 53094

Social Worker Section  
Marriage and Family Therapy, Professional Counseling  
and Social Work Examining Board  
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. Mark P. Peterson, C.S.W., Respondent, date of birth May 6, 1948, was certified by the Social Worker Section as a social worker in the state of Wisconsin pursuant to certificate number 1410, which was first granted October 14, 1993.
2. Respondent's last address reported to the Department of Regulation and Licensing is 531 Brookstone Way, Watertown, WI 53094.
3. Respondent received a bachelor's degree from the University of Minnesota-Minneapolis on March 20, 1971, was granted certification pursuant to the grandparenting provisions of 1991 Wisconsin Act 160, § 21(2)(a)1 and, for this reason, did not take the examination otherwise required for certification.
4. During the events of this matter, Respondent was employed as a social worker in the Children and Family Unit of Clark County Department of Social Services (Agency) in Neillsville, Wisconsin.
5. On August 28, 2003, while Respondent was on vacation, a person employed at a medical facility, who was mandated by Wis. Stat. § 48.981 to report suspected child abuse or neglect, left a voice mail message on Respondent's

agency voice mail. The message was that one of Respondent's minor clients had a bruised leg and had told the reporter that the client had been kicked on the leg. The reporter's intent in leaving the message was to make a report of suspected child abuse.

6. On September 12, 2003, Respondent had a telephone conversation with the mandated reporter and confirmed with her that he had received the August 28 voice mail message regarding the allegations.

7. On September 30, 2003, the same mandated reporter called Respondent and told him that the same minor client's oldest sibling had been very abusive to other family members and the client's mother, and had threatened to kill them. The mandated reporter believed that she was making a report of suspected child abuse.

8. The Agency's policies required that all allegations of suspected child abuse or neglect be screened by a social worker supervisor trained to make a determination whether to open an investigation of the report. Respondent was not a social worker supervisor and was not trained to make that determination.

9. Respondent did not route either of the two reports to a trained social worker supervisor. Instead, Respondent came to his own conclusion that the reports were not abuse referrals and did not route the allegations through the proper agency channels for an appropriate screening decision. As a result, no investigation was conducted and the rest of the Agency remained unaware of the allegations.

10. Three months later, similar allegations were reported to the Agency regarding the same family. Those allegations were screened by a trained social worker supervisor and investigated. The result of the investigation was that all five children in the family were placed in foster care. It was only after this investigation was commenced that the Agency became aware of the two reports made to Respondent in August and September of 2003.

#### CONCLUSIONS OF LAW

1. The Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 457.26(2) and authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by engaging in the conduct set out above, has committed negligence in practice in more than one instance, which is unprofessional conduct as defined by Wis. Adm. Code § SFC 20.02 (22) and subjects Respondent to discipline pursuant to Wis. Stat. § 457.26(2)(f).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Mark P. Peterson, C.S.W., Respondent, is hereby REPRIMANDED for the conduct set out above.
2. Respondent shall, within 90 days of the date of this Order, pay the costs of this proceeding in the amount of \$310.00 to the Department of Regulation and Licensing, pursuant to Wis. Stat. § 440.22(2).
3. Payment shall be mailed 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

Dated at Madison, Wisconsin this 2<sup>nd</sup> day of February, 2005.

George Kamps, L.C.S.W.

Chairperson

Social Worker Section