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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	:	
	:	FINAL DECISION AND ORDER
BARBARA A. GREATENS, C.S.W.,	:	LS# 0505045SOC
RESPONDENT.	:	

[Division of Enforcement Case # 04 SOC 072]

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

Barbara A. Greatens, C.S.W.
1420 Hyde Avenue
LaCrosse, WI 54601

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
PO Box 8935
Madison, WI 53708-8935

Social Worker Section
Marriage and Family Therapy, Professional Counseling
and Social Work Examining Board
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 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. Barbara A. Greatens, C.S.W., Respondent, date of birth May 24, 1948, is certified by the Social Worker Section as a social worker in the state of Wisconsin, pursuant to certificate number 1020, which was first granted September 7, 1993.
2. Respondent received a bachelor's degree in sociology from the University of Wisconsin-LaCrosse on August 1, 1980. Respondent 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.
3. Respondent's last address reported to the Department of Regulation and Licensing is 1420 Hyde Avenue LaCrosse, WI 54601.
4. At the time of the events set out below, Respondent was employed as a social worker in the Clinical Services Section of the LaCrosse County Human Services Department (LCHSD) in LaCrosse, Wisconsin.
5. Ms. A, an adult with diagnoses of Dissociative Identity Disorder, Depression and Post Traumatic Stress Disorder, had been receiving services from LCHSD for several years. In approximately March 2001, Respondent became Ms. A's social worker and provided case management services to Ms. A until September 6, 2002. In providing services, Respondent typically met with Ms. A every two weeks. A contracted Social Work Aide from Gunderson Lutheran was also providing supportive contacts to Ms. A.
6. Ms. A says that during the time Respondent was providing her with professional services, Ms. A "goofed off, flirted and could feel sexual tension building between them. Respondent says that she did not recognize that Ms. A was flirtin and denies recognizing she had emotional feelings towards Ms. A until September 6, 2002.

7. On September 6, 2002, Ms. A had an appointment to see Respondent. Respondent unexpectedly needed to take the day off, and agreed to meet with Ms. A at Respondent's home, on the patio. During that appointment, Ms. A challenged Respondent to deny that Respondent had personal feelings toward her. Respondent acknowledged to Ms. A that she had personal feelings toward her.

8. A few days later, Respondent and Ms. A met again at Respondent's house. At that meeting they discussed their feelings and agreed that Respondent would cease providing professional services to Ms. A and that Ms. A would return to therapy with a Baraboo therapist. Just prior to Ms. A leaving in her car, Respondent leaned through Ms. A's car window and gave Ms. A a kiss on the mouth. That kiss was followed by several passionate kisses.

9. Respondent made a note dated "September 2002" in Ms. A's case file that Ms. A was going to seek therapy from a specialist out of the county and the social work aide would continue supportive contacts for a few weeks to assist with transition and the case would be closed. Although there was no further activity, no discharge summary was ever prepared and the file remained open.

10. Following September 6, 2002, Respondent and Ms. A continued to see each other and developed a personal relationship, which included sexual contact beginning approximately October 2002.

11. In March 2003, Respondent's and Ms. A's personal relationship began deteriorating. Although sexual contact stopped sometime later in 2003, Respondent and Ms. A remained friends and continued to spend time together.

12. Ms. A called LCHSD on September 28, 2004 and reported Respondent's conduct. On October 20, 2004, LCHSD staff held an investigative interview of Respondent who admitted her personal/sexual relationship with Ms. A. Respondent resigned her position as a social worker at LCHSD on November 4, 2004.

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 Wis. Stat. § 457.26(2) and has authority to enter into this stipulated resolution pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by engaging in sexual conduct with a client within two years of termination of professional services has committed unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(11), and is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The certificate of Barbara A. Greatens, C.S.W., Respondent, as a social worker in the state of Wisconsin is hereby SUSPENDED for an indefinite period of time to be no less than two years, effective immediately.

2. Respondent may petition the Social Worker Section for the termination of the suspension, after two years, under the following terms and conditions:

a. Respondent shall have taken and passed all examinations then required by Wis. Stat. § 457.08(1)(c) for original certification as a social worker.

b. Respondent shall have, at Respondent's own expense, undergone an assessment by a mental health care provider experienced in professionals who have become involved sexually with clients.

c. The practitioner performing the assessment must not have treated Respondent and shall have been approved by the Section, with an opportunity for the Division of Enforcement to make its recommendation, prior to the evaluation being performed.

d. Respondent must provide proof sufficient to the Section that Respondent is able to practice with reasonable skill and safety of clients and public and does not suffer from any condition which prevents her from practicing in that manner.

e. If the Section determines to end the suspension, Respondent's certificate shall be limited in a manner to address any concerns the Section has as a result of the conduct set out in the findings of fact and to address any recommendations resulting from the assessment, including, but not limited to:

i. Psychotherapy, at Respondent's expense, by a therapist approved by the Section, to

address specific treatment goals, with periodic reports to the Section by the therapist.

- ii. Additional professional education in any identified areas of deficiency.
- iii. Restrictions on the nature of practice or practice setting or requirements for supervision of practice, by a professional approved by the Section, with periodic reports to the Section by the supervisor.
- iv. Requiring Respondent to appear before the Section on an annual basis, if requested by the Section, to review the progress of any treatment and rehabilitation.

3. 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 2e is inappropriate, Respondent may seek a class 1 hearing pursuant to Wis. Stat. §227.01(3)(a) in which the burden shall be on Respondent to show that the Section's decision is arbitrary or capricious. The suspension or limitations on Respondent's certificate shall remain in effect until there is a final decision in Respondent's favor on the issue.

4. Respondent shall, within 90 days of the date of this Order, pay the costs of this proceeding in the amount of \$335.00 to the Department of Regulation and Licensing, pursuant to Wis. Stat. § 440.22(2).

5. All requests, notifications and payment 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
Telephone (608) 267-3817
Fax (608) 266-2264

6. Violation of any term or condition of this Order, or of any limitation imposed under paragraph 2e above, may constitute grounds for revocation of Respondent's certificate as a social worker in Wisconsin. Should the Section determine that there is probable cause to believe that Respondent has violated the terms of this Order, or any limitation imposed under paragraph 2e above, the Section may order that Respondent's certificate be summarily suspended pending investigation of and hearing on the alleged violation.

Social Worker Section
Wisconsin Marriage and Family Therapy,
Professional Counseling and Social Work Examining Board

By: George J Kamps
A Member of the Section

May 4, 2005
Date