

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

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JOHN P. GORENC,	:	LS# 0609081 SOC
RESPONDENT.	:	

Division of Enforcement Case # 05 SOC 063

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

John P. Gorenc, L.C.S.W.
2324 Broken Hill Rd.
Waukesha, WI 53188

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

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

PROCEDURAL HISTORY

A disciplinary proceeding was commenced in this matter by the filing of a Notice of Hearing and Complaint with the Social Work Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board on September 8, 2006. Prior to the hearing on the Complaint, the parties in this matter agreed to the terms and conditions of the attached Stipulation as the final disposition of 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. John P. Gorenc, L.C.S.W., (DOB 01/20/1964) is duly licensed as a Clinical Social Worker in the State of Wisconsin (license #123-801). This license was first granted on September 1, 1993.
2. Respondent's most recent address on file with the Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board is 2324 Broken Hill Road, Waukesha, Wisconsin. However, his current address is 1241 Seitz Drive, Waukesha, Wisconsin, 53186.

3. In or about February, 2004, Respondent's employer, Waukesha County Department of Health and Human Services, commenced an investigation into allegations of numerous workplace policy violations by Respondent.
4. In the middle of a meeting relating to the investigation on February 23, 2005, Respondent left, citing medical reasons. He subsequently went on medical leave.
5. When Respondent left for his medical leave, he did not provide his supervisor with the status of his pending cases or unfinished work. Therefore, his supervisor reviewed his computer caseload and desk contents.
6. Respondent's supervisor discovered that out of twenty cases assigned to Respondent, thirteen had no action or assessment activity. Eleven of those cases were received between August 26, 2004 and December 20, 2004, and required immediate action, as they involved referrals for protective services for vulnerable, primarily elderly, clients.
7. Thirty other cases, dating from September 11, 2000 to December 2, 2004, had never been entered into the computer by Respondent, so there was no agency knowledge of the case and subsequent actions by others would be undertaken without awareness of previous assessments or treatments.
8. Respondent previously had been counseled regarding the importance of Department expectations on case management and record keeping. However his December, 2004 performance evaluation indicated his work was above average and states that his case management had significantly improved since his last evaluation.
9. Respondent resigned from his position effective April 18, 2005.
10. Respondent attributes his work performance issues to mental health issues. He voluntarily sought therapy with Dr. G.G.
11. Dr. G.G. agrees that mental health issues contributed to Respondent's work performance issues. However he also is of the opinion that Respondent resisted accountability and responded negatively as a result. Dr. G.G. believes that Respondent has improved in his accountability and would be able to function effectively as a social worker if he was appropriately supervised and if he continues therapy and treatment for any mental health issues that may arise in the future.

CONCLUSIONS OF LAW

1. The Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 457.26, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).
2. The conduct described in paragraphs 3-9 above constitutes a violation of Wisconsin Administrative Code § MPSW 20.02 (18) and (22) and subjects Respondent to discipline pursuant to Wis. Stat. § 457.26(2)(g).

ORDER

IT IS ORDERED:

1. John P. Gorenc, L.C.S.W., is REPRIMANDED.
2. Respondent's license is LIMITED as follows:
 - (a) Within six months of the date of this Order, Respondent shall provide proof of satisfactory completion of six hours of pre-approved continuing education in case management for social workers, and six hours of pre-approved continuing education in social work documentation. Respondent is responsible for finding appropriate courses and submitting the course information to the Section for approval prior to taking the courses and in sufficient time to obtain Section approval within the six month time frame, taking into account

the Section's meeting schedule. Respondent is responsible for all costs associated with these courses. These courses may not be used to satisfy any continuing education requirements of Wis. Stat. 457.22 or Wis. Admin. Code Ch. MPSW 8.

(b) Respondent shall provide a copy of this Order and all subsequent orders immediately to all supervisory personnel at all settings where Respondent works in any capacity as a social worker, relating to social work, or as a caregiver of any type, currently or in the future

(c) Respondent shall practice only under the supervision of a licensed social worker or other licensed health care professional approved by the Section or its designee and only in a work setting pre-approved by the Section or its designee.

(d) It is Respondent's responsibility to arrange for written reports from supervisors to be provided to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance, including but not limited to case management and documentation, and shall include the number of hours of active social work practice worked during that quarter.

(e) Respondent shall continue individual therapy with Dr. G.G., or with another therapist approved in advance by the Section, at a frequency recommended by his treater, but no less than once per month.

(f) Respondent shall report to the Section any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

(g) Respondent may petition the Section to amend these limitations at any time after two years. Any such petition relating to therapy must be accompanied by a recommendation from his treater and a plan for the recommencement of therapy if and when needed. Respondent must appear before the Section to support his petition if requested by the Section. The Section may deny the petition in its discretion.

3. Respondent shall, within six (6) months from the date of this Order, pay costs of this proceeding in the amount of One Thousand, Five Hundred Dollars (\$1,500.00). Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Section in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to pay costs as ordered, or fails to comply with the limitations of paragraph 2 above, Respondent's license (# 123-801) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

5. This Order is effective on the date of its signing.

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

By: Mary Jo Walsh

3/27/07

A Member of the Section

Date

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

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
JOHN P. GORENC, L.C.S.W.,	:	LS# 0609081 SOC
RESPONDENT.	:	

Division of Enforcement Case # 05 SOC 063

John P. Gorenc, L.C.S.W., personally on his own behalf; and Jeanette Lytle, attorney for the Department of Regulation and Licensing, Division of Enforcement, stipulate:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (case # 05 SOC 063). Respondent consents to the resolution of this investigation by stipulation.
2. Respondent understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Respondent has been provided an opportunity to obtain the advice of legal counsel prior to signing this stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Section's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Section, the parties agree not to contend that the Section has been prejudiced or biased in any manner by consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of the Respondent or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with the Section's deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Section should accept this Stipulation and issue the attached Final Decision and Order.
7. Respondent is informed that should the Section adopt this Stipulation, the Section's final decision and order is a public record and will be published in accordance with standard Department procedure.
8. The Division of Enforcement joins Respondent in recommending the Section adopt this Stipulation and issue

the attached Final Decision and Order.

John P. Gorenc, L.C.S.W.
1241 Seitz Drive
Waukesha, WI 53186

Date

Jeanette Lytle, Attorney
Division of Enforcement
Wisconsin Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Date