

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
CLAUDIA GRECO, : LS# 0801093 RSA
RESPONDENT. :

Division of Enforcement Case # 07 RSA 014

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

Claudia Greco L.P.C.
147 Ponwood Circle
Madison, WI 53717

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

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 Department of Regulation and Licensing on January 8, 2008. 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 Secretary of the Department. The Secretary has reviewed this Stipulation and considers it acceptable.

Accordingly, the Secretary adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Claudia Greco, L.P.C., (DOB 01/09/1951) is duly licensed as Clinical Substance Abuse Counselor in the State of Wisconsin (license #132-406). This license was first granted on January 29, 1981.
2. Respondent's most recent address on file with the Department of Regulation and Licensing is 147 Ponwood Circle, Madison, Wisconsin, 53717.
3. On or about June 4, 2001, Respondent began providing therapy to patient C.R. Soon afterward, C.R.'s partner of 12 years, G.H., began attending therapy with C.R. and the focus shifted to couples counseling.
4. In April, 2003, C.R. stopped seeing Respondent for therapy. G.H. continued to see Respondent for individual therapy.
5. In or about July 2003, G.H. told Respondent that he had romantic feelings for her.

6. On or about July 30, 2003, C.R. returned to therapy with Respondent to discuss her concerns that G.H. had romantic feelings for Respondent. Respondent assured C.R. that she should not worry.
7. C.R. continued to see Respondent for therapy regarding relationship issues until October of 2003.
8. G.H. continued in therapy with Respondent until October 8, 2003. At that time he quit therapy because he wanted to enter into a personal relationship with Respondent. Respondent was aware of the reason for G.H.'s termination of therapy. They discussed that there was a provision in the Clinical Substance Abuse Counselor's code that prohibited therapist/patient relationships for two years after termination of therapy.
9. On October 31, 2003, Respondent terminated therapy with C.R. without prior notice and referred her to another counselor.
10. G.H. began seeing Respondent socially in the fall of 2004.
11. G.H. and Respondent engaged in sexual contact from approximately the late fall, 2004 until February of 2005.

CONCLUSIONS OF LAW

1. The Secretary of the Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter, pursuant to Wis. Stat. § 440.88(6), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).
2. The conduct described in paragraphs 5-11 above constitutes a violation of Wisconsin Administrative Code § RL 164.01(2)(m), (n) and (v) and Counselor Code of Conduct Rule 4.1 and 2.2, and subjects Respondent to discipline pursuant to Wis. Stat. § 440.88(6).

ORDER

IT IS ORDERED:

1. The stipulation of the parties is approved.
2. The license of Claudia Greco to practice as a Clinical Substance Abuse Counselor in the State of Wisconsin is **INDEFINITELY SUSPENDED** for no less than eighteen months.
3. Respondent may petition the Secretary for the termination of the suspension, after eighteen months, under the following terms and conditions:
 - a. Respondent shall have, at Respondent's own expense, undergone an assessment by a mental health care provider experienced in evaluating mental health care practitioners who have become involved sexually with clients or former clients.
 - b. The practitioner performing the assessment must not have treated Respondent and shall have been approved by the Secretary or her designee, with an opportunity for the Division of Enforcement to make its recommendation, prior to the evaluation being performed.
 - c. Respondent must provide proof sufficient to convince the Secretary or her designee 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.
 - d. If the Secretary or her designee determines to end the suspension, Respondent's license shall be limited in a manner to address any concerns the Secretary or her designee 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 Secretary or her designee, to address specific treatment goals, with periodic reports to the Secretary or her designee 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 Secretary or her designee, with periodic reports to the Secretary or her designee by the supervisor.

4. If Respondent believes that the Secretary or her designee's refusal to end the suspension is inappropriate or that any limitation imposed or maintained by the Secretary or her designee under paragraph 3d 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 Secretary's or designee's decision is arbitrary or capricious. The suspension or limitations on Respondent's license shall remain in effect until there is a final decision in Respondent's favor on the issue.

5. Respondent shall, within 180 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of One Thousand, One Hundred Ten Dollars (\$1,110.00) pursuant to § 440.22(2), Stat

6. 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

7. Violation of any term or condition of this Order, or of any limitation imposed under paragraph 3d above, may constitute grounds for revocation of Respondent's license as a Clinical Substance Abuse Counselor in Wisconsin. Should the Secretary determine that there is probable cause to believe that Respondent has violated the terms of this Order, or any limitation imposed under paragraph 3d above, the Secretary may order that Respondent's license be summarily suspended pending investigation of and hearing on the alleged violation.

8. This Order shall become effective upon the date of its signing.

Department of Regulation and Licensing

By: Celia Jackson
Secretary

8/8/08

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
 : STIPULATION
CLAUDIA GRECO, : LS# 0801093 RSA
RESPONDENT. :

Division of Enforcement Case # 07 RSA 014

Claudia Greco, personally and by her attorney Marie Stanton; 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 Clinical Substance Abuse Counselor license by the Division of Enforcement (case # 07 RSA 014). Respondent consents to the resolution of this investigation by stipulation.
2. Respondent understands that by signing this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, 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 her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; 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 her 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 obtained 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 Secretary of the Department of Regulation and Licensing. 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 Secretary's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Secretary, 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 Secretary, the parties agree not to contend that the Secretary 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 may appear before the Secretary, without the presence of the Respondent or her attorney, for purposes of speaking in support of this agreement and answering questions that the Secretary may have in connection with her deliberations on the Stipulation.
7. Respondent is informed that should the Secretary adopt this Stipulation, the Secretary'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 Secretary adopt this Stipulation and issue the attached Final Decision and Order.

Claudia Greco

Date

147 Ponwood Circle
Madison, WI 53717

Marie Stanton
Hurley, Burish & Stanton
Attorneys for Claudia Greco
P.O. Box 1528
Madison, WI 53701-1528

Date

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

Date