

# 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 :  
 : FINAL DECISION AND ORDER  
LINDA E. ISRAEL, L.C.S.W., : LS0803052SOC  
RESPONDENT. :

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[Division of Enforcement Case # 06 SOC 075]

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

Linda E. Israel, L.C.S.W.  
N3860B Grahl Drive  
Medford, WI 54451

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 of this matter, subject to the approval of the Social Worker Section. The Section has reviewed this Stipulation and considers it acceptable.

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

#### FINDINGS OF FACT

1. Linda E. Israel, L.C.S.W., Respondent, date of birth October 18, 1961, is licensed by the Social Worker Section as a clinical social worker in the state of Wisconsin pursuant to license number 1563, which was first granted October 27, 1993. (Prior to a statutory change effective November 1, 2002, Respondent's credential was a certificate as an independent clinical social worker.)

2. Respondent's last address reported to the Department of Regulation and Licensing is N3860B Grahl Drive, Medford, WI 54451.

3. Since February 2001, Respondent has practiced as a clinical social worker at North Central Counseling Center in Medford, Wisconsin. Respondent's duties include providing individuals, couples and families with mental health counseling.

4. Respondent first provided professional services to Mr. A during an intake session on November 17, 2005. Mr. A had been divorced for several years and lived alone with his two sons. Mr. A was having difficulty dealing with his then 11-year-old son who had problems with attention deficit hyperactivity disorder (ADHD) and oppositional-defiant traits. Respondent met with Mr. A for an initial assessment and to gather information on his son's behavior. Respondent also discussed with Mr. A parenting techniques he could use to help his son get his behaviors under control. Respondent's diagnostic impression of Mr. A was Adjustment Disorder with Anxiety (309.24) and Parent-Child Relational Problem (V61-

20).

5. On December 1, 2005, Respondent saw Mr. A and his son together. Among other things, Respondent talked with them about educating Mr. A's son on ADHD, impulse control and anger management. On December 22, 2005, Respondent met with Mr. A's son alone for an initial assessment and to discuss behavioral issues. Respondent noted her diagnostic impression of Mr. A's son as ADHD and Parent-Child Relational Problem (V61-20).

6. Mr. A and his son did not return for any further appointments. In March 2006, Respondent prepared discharge summaries for both and closed their files.

7. In May 2005, Respondent had separated from her husband of 15 years. She filed for divorce in March 2006. Respondent was experiencing a stressful period while struggling to balance single parenting her two young sons, working full-time and dealing with her difficult estranged husband. Respondent says that she was attracted to Mr. A's calm nature and commitment to parenting his two young sons. She felt they had a lot in common because he was also recently divorced and struggling with the same issues.

8. Respondent believed that since she had not met with Mr. A or his son since December 2005 and had closed out Mr. A's and his son's files, Mr. A was no longer a client and it would be acceptable for her to contact him socially. In mid-April 2006, Respondent called Mr. A and asked him out on a date. They continued to see each other socially and in May 2006, began an intimate relationship which included sexual contact.

9. On October 13, 2006, Respondent attended an ethics conference at which information was presented that having a sexual relationship with a client within two years of the termination of professional services was in violation of the Social Worker Section's rules. Respondent then realized that her relationship with Mr. A was a violation of the rule.

10. Respondent felt guilty about her behavior and reported it to the person who is her employer and supervisor, who discussed it with her and advised her to self-report to the Section. On October 27, 2006, Respondent reported her violation to the Section. No one had threatened to report Respondent if she did not self-report. Neither the Section nor the Division of Enforcement had any knowledge of the violation prior to receiving the self-report.

11. Respondent's employer also recommended that she terminate the romantic relationship with Mr. A which she did. Because of mitigating circumstances and the fact that Respondent had a good employment record for the twelve years he had supervised her, Respondent's employment discipline was a written reprimand.

12. At the request of the Division, Respondent agreed to a psychological evaluation by Gary R. Schoener, M.Ed., a Minneapolis psychologist with extensive experience in assessing practitioners who have become involved sexually with clients or former clients. In his psychological evaluation dated February 5, 2008, Mr. Schoener concluded to a reasonable degree of professional certainty:

- a. Results of psychometric testing (Minnesota Multiphasic Personality Inventory-2 and Millon Clinical Multiaxial Inventory – III) were within normal limits.
- b. Respondent does not have a sexual impulse control disorder.
- c. Respondent does not appear to be a predator.
- d. Contributing factors to the violation included:
  - 1) The stress Respondent was experiencing due to the break-up of her marriage and custody dispute, which themselves followed an extended period of unhappiness in the marriage;
  - 2) Isolation and loneliness Respondent experienced as a hard-working professional who is also a mother, and who had little time to develop personal relationships;
  - 3) Some psychological denial as to the degree to which she was lonely and feeling isolated;
  - 4) Rationalizing that Mr. A was not a client, and failing to seek professional consultation (from a therapist, colleague, or supervisor) as regards her decision-making in this regard.

e. When her attendance at the workshop caused Respondent to review the ethical propriety of her relationship with Mr. A, Respondent handled her errors in a commendable and highly professional fashion, in that she:

- 1) Reported the situation to her supervisor and sought consultation about the situation from him;
- 2) Explained the situation to Mr. A in a manner which was clear and decisive, avoiding any noteworthy harm and reinforcing general professional standards in terms of boundaries;
- 3) Self-reported to the Social Worker Section.

f. Respondent does not pose a current risk in the practice of clinical social work as long as:

- 1) She continues working with the supervisory oversight of her current supervisor.
- 2) She undertakes counseling or psychotherapy for assistance in managing this period of transition in her life.

13. This is the only complaint regarding Respondent's practice received by the Section or the Department during the more than 14 years Respondent has held a credential from the Section.

14. The Division of Enforcement has recommended the discipline in the Order, below, based in part on:

- a. Respondent's voluntary self-report of the violation to the Section.
- b. Respondent's voluntary termination of the personal and sexual relationship with Mr. A.
- c. Respondent's voluntary participation in the evaluation and the results of the evaluation.

#### 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's conduct with Mr. A, as set out above, constitutes engaging in sexual contact and sexual conduct with a client within 2 years after termination of professional services as defined by Wis. Adm. Code § MPSW 20.02(11), and subjects Respondent to discipline pursuant to Wis. Stat. § 457.26(2)(h).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Linda E. Israel, L.C.S.W., Respondent, is hereby REPRIMANDED for the above conduct.

2. Respondent's license is LIMITED as follows:

a. Within 60 days of the date of this Order, Respondent shall commence psychotherapy with an experienced psychotherapist (Psychotherapist) who has been approved by the Section or its designee.

- 1) In the event that the Psychotherapist is unable or unwilling to continue as Respondent's psychotherapist, subsequent psychotherapists shall be approved by the Section or its designee.
- 2) Respondent shall immediately provide all psychotherapists with a copy of this Final Decision and Order.
- 3) Respondent shall immediately provide all psychotherapists with a copy of Schoener's February 5, 2008 evaluation of Respondent.
- 4) The Psychotherapist shall provide appropriate psychotherapy in assisting Respondent in managing this period of transition in her life.
- 5) The schedule of psychotherapy shall be determined by the Psychotherapist after a thorough evaluation of Respondent.
- 6) Treatment shall continue until such time as the Psychotherapist recommends that it be ended and the Section accepts that recommendation.
- 7) Respondent shall provide and keep on file with the Psychotherapist current releases which permit the Psychotherapist to disclose and discuss Respondent's treatment with the Section or any member thereof. Copies of these releases shall be filed simultaneously with the Department Monitor.
- 8) Respondent shall provide and keep on file with the Psychotherapist a current release which permits the Psychotherapist to disclose and discuss the progress of Respondent's diagnosis and treatment with the Practice Supervisor, identified below. A copy of this release shall be filed simultaneously with the Practice Supervisor.
- 9) Respondent's Psychotherapist shall submit quarterly reports to the Section regarding Respondent's participation and progress in treatment. Submission of the reports by the Psychotherapist shall be Respondent's responsibility. The due date for the first report and subsequent reports shall be determined by the Department Monitor.
- 10) Upon becoming aware that Respondent has failed to cooperate with treatment, or has otherwise violated the terms of this Order, Respondent's Psychotherapist shall immediately submit written notification to the Section.

b. Respondent's practice has been under the supervision of Joseph Roe, PsyD., for several years. Dr. Roe is approved as Respondent's Practice Supervisor for the purposes set out in the subparagraphs below.

- 1) The Practice Supervisor shall provide consultation to Respondent regarding practice issues related to therapist-client boundaries.
- 2) The schedule of consultation shall be determined by the Practice Supervisor and shall be as frequent as necessary to provide appropriate consultation.
- 3) This consultation shall continue for one year, but shall be extended if recommended by the Practice Supervisor and the Section accepts that recommendation.
- 4) Respondent's Practice Supervisor shall submit quarterly reports to the Section regarding Respondent's participation and cooperation in case consultation. Submission of the reports by the Practice Supervisor shall be Respondent's responsibility. The due date for the first report and subsequent reports shall be determined by the Department Monitor.
- 5) Upon becoming aware that Respondent has failed to cooperate with case consultation, or has otherwise violated the terms of this Order, Respondent's Practice Supervisor shall immediately submit written notification to the Section.
- 6) In the event that the Practice Supervisor is unable or unwilling to continue as Respondent's Practice Supervisor, subsequent Practice Supervisors shall be approved by the Section or its

designee.

7) Respondent shall immediately provide all Practice Supervisors with a copy of this Final Decision and Order.

8) Respondent shall immediately provide all Practice Supervisors with a copy of Schoener's February 5, 2008 evaluation of Respondent.

9) The Practice Supervisor shall be able to disclose and discuss Respondent's consultation with the Section or any member thereof, or with the Department Monitor.

10) The Practice Supervisor shall be able to disclose and discuss Respondent's consultation with the Psychotherapist, identified above.

c. If Respondent fails to cooperate with treatment or case consultation, or has otherwise violated the terms of this Order, Respondent shall immediately submit written notification to the Section.

3. Respondent may petition the Section for modification of any limitation imposed by this Order, but whether to grant the petition shall be in the Section's discretion.

4. If Respondent believes that any recommended psychotherapy or case consultation or the Section's refusal to end psychotherapy, to end case consultation or to modify any term of this Order 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 Section's decision 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 \$625.00, pursuant to Wis. Stat. § 440.22(2).

6. All requests, reports, notifications and payment shall be sent to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax (608) 266-2264  
Telephone (608) 267-3817

7. 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, Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

8. This Order is effective on the date it is signed.

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

By: Mary Jo Walsh  
A Member of the Section

3/5/08  
Date

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 :  
 : STIPULATION  
LINDA E. ISRAEL, L.C.S.W., : LS \_\_\_\_\_ SOC  
RESPONDENT. :

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[Division of Enforcement Case # 06 SOC 075]

It is hereby stipulated and agreed, by and between Linda E. Israel, L.C.S.W., Respondent; Joseph R. Long II of Relles, Long & Milliken LLP, attorneys for Respondent; and John R. Zwieg, attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement. Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

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 been provided an opportunity to obtain advice of legal counsel prior to signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Section. 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 the 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 Section ever assigned as a case advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent or her attorney, if any, 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 case 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.

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Linda E. Israel, L.C.S.W.  
Respondent  
N3860B Grahl Drive  
Medford, WI 54451

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Date

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Joseph R. Long II  
Relles, Long & Milliken LLP  
Attorneys for Respondent  
301 N. Broom Street  
Madison, WI 53703-5216

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Date

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John R. Zwiig  
Attorney for Complainant  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935

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Date