

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
TAMMY B. FREEMAN, L.C.S.W., : LS0807302SOC
RESPONDENT. :

Division of Enforcement Case # 07 SOC 074

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

Tammy B. Freeman, L.C.S.W.
2517 Hwy MM
Fitchburg, WI 53575

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

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 of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board. The Section has reviewed the attached Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Tammy B. Freeman, L.C.S.W., (DOB 11/23/1964) is duly licensed as a Clinical Social Worker in the State of Wisconsin (license #123-2004). This license was first granted on December 30, 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 2517 Hwy MM, Fitchburg, Wisconsin, 53575.
3. In or about December of 2007, Respondent's employment was terminated when her employer discovered that she had been documenting home visits with clients that did not in fact occur.

4. Respondent admitted fabricating documentation of home visits, and attributed her failures to her mental health history of bipolar disorder.

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 - 4 above constitutes a violation of Wisconsin Administrative Code § MPSW 20.02(7), (9) and (22) and subjects Respondent to discipline pursuant to Wis. Stat. § 457.26.

ORDER

IT IS ORDERED:

1. Tammy B. Freeman, L.C.S.W. is REPRIMANDED.
2. The license of Tammy B. Freeman, L.C.S.W. to practice as a clinical social worker in the State of Wisconsin is LIMITED as follows:
 - (a) Within 60 days of the date of this Order, Respondent shall, at her own expense, undergo an assessment by a mental health care practitioner with experience in assessing health care professionals with bipolar disorder.
 1. The practitioner performing the assessment shall not have treated Respondent and prior to the assessment being performed, must be approved by the Section or its designee, with an opportunity for the Division of Enforcement to make its recommendation.
 2. Prior to the evaluation being performed, the Division of Enforcement shall have the opportunity to provide the practitioner with any materials within the investigative file in this matter. Respondent may provide the practitioner with any information she deems relevant.
 3. Respondent shall provide the Section with the practitioner's written report and provide the Section and the Division with the opportunity to discuss the evaluation and findings with the practitioner. The Section may limit Respondent's license in a manner to address the findings in this matter and any recommendations resulting from the assessment.
 - (b) Respondent shall practice only under the direct supervision of a licensed clinical social worker or other licensed mental health care professional approved by the Section or its designee and only in a work setting pre-approved by the Section or its designee.
 - (c) Respondent shall provide a copy of this Final Decision and Order and all other subsequent orders immediately to supervisory personnel at all settings where Respondent works as a licensed clinical social worker, social worker, or other caregiver, or provides mental health care or services, currently or in the future.
 - (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, and shall include the number of hours of active social work practice worked during that quarter.
 - (e) 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.

3. After two years, Respondent may petition the Section for modifications to these limitations. Any such petition should be supported by the written recommendations of a mental health professional. The Section may require a personal appearance by Respondent, in its discretion. If Respondent is dissatisfied with the Section's decision she 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. Requesting a hearing does not stay the Section's decision on the petition during the pendency of the hearing process.

4. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of Three Hundred Dollars (\$ 300.00), pursuant to § 440.22(2), Stats.

5. All petitions, requests, reports and payments required by this Order 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
Fax (608) 266-2264
Telephone (608) 267-3817

6. 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 the Respondent's license (#123-2004) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

7. 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
A Member of the Section

7/30/08
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
TAMMY B. FREEMAN, L.C.S.W.,	:	LS# _____
RESPONDENT.	:	

Division of Enforcement Case # 07 SOC 074

Tammy B. Freeman, L.C.S.W., personally on her 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 # 07 SOC 074). 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 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 her 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. Respondent is further informed that if she fails to fully and completely comply with all terms and conditions set

forth in the attached order, or if the Department receives a subsequent credible allegation against Respondent of abuse, neglect or misappropriation, the Department Monitor shall without further notice or hearing notify the Wisconsin Department of Health and Family Services that the findings set forth in this Order shall thereafter constitute an agency finding of neglect for the purposes of Wis. Stat. §§ 48.685 and 50.065. Respondent shall then REFRAIN from any employment as a social worker or other caregiver in any facility licensed by the Wisconsin Department of Health and Family Services until such time as Respondent successfully completes a rehabilitation review administered by DHFS.

9. The Division of Enforcement joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.

Tammy B. Freeman, L.C.S.W.
2517 Hwy MM
Fitchburg, WI 53575

Date

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

Date