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IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
JOANNA A. MORGAN,	:	LS0904172RSA
RESPONDENT.	:	

Division of Enforcement Case # 08 RSA 006

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

Joanna A. Morgan
1409 N. Graceland Avenue
Appleton, WI 54911

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

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 Secretary of the Department of Regulation and Licensing. The Secretary has reviewed the attached Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Joanna A. Morgan (DOB 11/16/1971) is duly certified as a clinical substance abuse counselor in the State of Wisconsin (certificate #15192-132). This certificate was first granted on November 9, 2006.
2. Respondent's most recent address on file with the Department of Regulation and Licensing is 1409 N. Graceland Avenue, Appleton, Wisconsin 54911.
3. Respondent provided counseling services to Client RM beginning in early 2007. On or about October 31, 2007, Respondent transferred Client RM to a new counselor for treatment.
4. On or about February 14, 2008, Respondent married Client RM.

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).

The conduct described in paragraph 4, above, constitutes a violation of Wis. Admin. Code § RL 164.01(2)(m), 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 secretary accepts the surrender of Joanna A. Morgan's clinical substance abuse counselor certificate.
3. In the event that Respondent applies for a Wisconsin credential as a substance abuse professional in the future, the Board will enter an order denying such application without further notice or hearing.
4. This Order shall become effective upon the date of its signing.

Department of Regulation and Licensing

By: Celia Jackson, Secretary
or designee

4/17/09

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
	:	
JOANNA A. MORGAN,	:	LS# _____
RESPONDENT.	:	

Division of Enforcement Case # 08 RSA 006

Joanna A. Morgan, 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 Clinical Substance Abuse Counselor certificate by the Division of Enforcement (case # 08 RSA 006). 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 voluntarily surrender her Clinical Substance Abuse Counselor certificate. Respondent agrees that she will not apply for a Wisconsin credential as a substance abuse professional at any time in the future. In the event that Respondent does in fact apply for a Wisconsin credential as a substance abuse professional, the Secretary may deny that application based upon this stipulation, without further notice or hearing, and Respondent hereby expressly waives all rights to a hearing on any such denial.
5. 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.
6. 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.
7. 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 the Secretary’s deliberations on the Stipulation.
8. 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.
9. The Division of Enforcement joins Respondent in recommending the Secretary adopt this Stipulation and issue the

attached Final Decision and Order.

<hr/> Joanna A. Morgan, Respondent 1409 N. Graceland Avenue Appleton, WI 54911	<hr/> Date
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<hr/> Jeanette Lytle, Attorney Division of Enforcement Wisconsin Department of Regulation and Licensing P.O. Box 8935 Madison, WI 53708-8935	<hr/> Date
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