

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
GEORGIANA M. FISCHER,	:	LS0907301SOC
RESPONDENT.	:	

Division of Enforcement Case # 06 SOC 028

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

Georgiana M. Fischer
W 7492 County Road F
Phillips, WI 54555

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 in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Georgiana M. Fischer, (DOB 06/08/1964) is duly certified as a Social Worker in the State of Wisconsin (certificate # 120-8795). This certificate was first granted on June 14, 2005.
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 W 7492 County Road F, Phillips, Wisconsin, 54555.
3. In approximately December of 2005, Respondent was cited for retail theft.

4. On or about February 27, 2006, Respondent was interviewed by her employer in connection with missing prescription drugs. Respondent was told that state surveyors, who were evaluating the facility at the time, may also want to talk to her.

5. Respondent gave a letter to the survey team, which enclosed a letter from Kohl's department store, in which Kohl's purported to withdraw any legal or financial liability in connection with the retail theft citation. It was later determined that this letter was a fake and the signature was forged.

6. Respondent later claimed that her husband had written the letter and inserted it into the envelope that she gave to the surveyors. However, Respondent's current husband and her ex-husband were both interviewed, and both denied any knowledge of the Kohl's letter.

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 paragraph 3 above constitutes a violation of Wisconsin Administrative Code § MPSW 20.02(2) and subjects Respondent to discipline pursuant to Wis. Stat. § 457.26.

3. The conduct described in paragraph 4-6 above constitutes a violation of Wisconsin Administrative Code § MPSW 20.02(7) and subjects Respondent to discipline pursuant to Wis. Stat. § 457.26.

ORDER

IT IS ORDERED:

1. Georgiana M. Fischer is REPRIMANDED.
2. The certificate of Georgiana M. Fischer to practice as a Social Worker in the State of Wisconsin is LIMITED as follows:
 - (a) Within ninety (90) days of the date of this Order, Respondent shall provide proof of satisfactory completion of six hours of pre-approved continuing education in ethics for social workers. 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 ninety day 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) For a period of at least two (2) years from the date of this Order, Respondent shall arrange for quarterly reports from her employer(s) reporting the terms and conditions of her employment and evaluating her work performance. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing Division of Enforcement, at P.O. Box 8935, Madison, Wisconsin, 53708-8935.
 - (c) For a period of at least two (2) years from the date of this Order, Respondent shall practice only under the direct supervision of a licensed clinical 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. Respondent may not work in any work setting in which she would have access to client or patient belongings.

- (d) Respondent shall notify the Department Monitor of any change of employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.

3. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of Seven Hundred Dollars (\$700.00). 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 certificate. 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 ordered continuing education, the Respondent's certificate (#120-8795) 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: George Kamps
A Member of the Section

7/29/09
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
GEORGIANA M. FISCHER,	:	LS# _____
RESPONDENT.	:	

Division of Enforcement Case # 06 SOC 028

Georgiana M. Fischer, 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 certification by the Division of Enforcement (case # 06 SOC 028). 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 Section 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.

Georgiana M. Fischer
W 7492 County Road F
Phillips, WI 54555

Date

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

Date