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STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

LINDA S. BLOOM, PSY.D., :
RESPONDENT. :

FINAL DECISION AND ORDER

ORDER 0000049

[Division of Enforcement Case # 07 PSY 030]

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

Linda S. Bloom, Psy.D.
440 Science Drive #200
Madison, WI 53711

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

Wisconsin Psychology 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 Psychology Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Linda S. Bloom, Psy.D., Respondent, date of birth July 8, 1946, is licensed by the Wisconsin Psychology Examining Board as a psychologist in the state of Wisconsin pursuant to license number 990, which was first granted November 5, 1982.
2. Respondent's last address reported to the Department of Regulation and Licensing is 440 Science Drive #200, Madison, WI 53711. For several years, Respondent has practiced at and been one of the owners of Capitol Associates, LLC, a State certified outpatient psychotherapy clinic located in Madison, Wisconsin.

3. On August 15, 2007, the Department of Health and Family Services¹, Division of Quality Assurance, Bureau of Health Services, Behavioral Health Certification Section conducted a verification visit at Capitol Associates. A surveyor reviewed clinical records and determined that for many clients, Respondent had failed to meet the clinical record keeping requirements of Wis. Adm. Code HFS § 61.97². Examples found included:

- a. The clinical record for Client A was missing an initial assessment, treatment plan and numerous progress notes.
- b. Respondent had been providing psychotherapy services to Client B for several years but there were no progress notes for services billed.
- c. The clinical record for Client B was missing a treatment plan and eight of nine dates of service billed did not have a corresponding progress note.
- d. Records for 35 former clients who were no longer receiving psychotherapy services were in a box with incomplete discharge documentation.

4. The surveyor interviewed one of the other owners who functions as the clinic manager. She said that she had been trying to work with Respondent to keep the required records but had been unsuccessful. She described Respondent as a very good clinician who just doesn't meet record keeping expectations.

5. Since June 1, 2004, Wis. Adm. Code § Psy 5.01(33) has defined unprofessional conduct for a psychologist to include:

Failure to maintain adequate records relating to services provided to a client in the course of a professional relationship. Each patient record entry shall be dated, shall identify the treating therapist, and shall be sufficiently legible to be understood and to allow interventions by other professionals. Unless records are subject to a different records retention policy by an entity with an obligation to maintain treatment records, a licensee shall retain treatment records for at least 7 years. Such records shall contain all of the following:

- (a) Pertinent patient history.
- (b) Pertinent objective findings related to examination and test results.
- (c) Assessment or diagnosis.
- (d) Plan of treatment for the patient.
- (e) A discharge summary upon termination of treatment.

6. In January 2008, a Department of Regulation and Licensing, Division of Enforcement (DOE) investigator wrote to Respondent asking her to respond to the allegations of inadequate record keeping. On January 31, 2008, Respondent wrote to the

¹ Now the Department of Health Services

² Wis. Adm Code § HFS §61.97 was renumbered as § DHS 61.97 and was then repealed effective June 1, 2009. The current requirements are now found in § DHS 35.23.

DOE investigator and acknowledged that prior to the verification visit, she had not made and kept necessary records. She confirmed that she recognized the need for adequate records and had improved her recordkeeping.

CONCLUSIONS OF LAW

1. The Wisconsin Psychology Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 441.07 and authority to enter into this stipulated resolution pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by engaging in the conduct as set out above, has committed unprofessional conduct as defined by Wis. Adm. Code § PSY 5.01(33) and is subject to discipline pursuant to Wis. Stat. § 455.09(1)(g).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Linda S. Bloom, Psy.D., is hereby REPRIMANDED for her conduct.
2. Respondent's license is LIMITED as follows:
 - a. Within 90 days of the date of this Order, Respondent shall provide proof sufficient to the Board, or its designee, of Respondent's satisfactory completion of a total of 3 hours of continuing education with an emphasis on record keeping and record keeping requirements, which course(s) shall first be approved by the Board, or its designee.
 - b. Upon Respondent providing proof sufficient to the Board, or its designee, that she has completed the education, the Board shall issue an Order removing this limitation of Respondent's license.
3. Respondent is prohibited from applying the educational credits required by this order toward satisfaction of the continuing education required to be completed during any registration biennium.
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 \$375.00 pursuant to Wis. Stat. § 440.22(2).

5. Payment shall be mailed or delivered 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

6. In the event Respondent fails to complete the continuing education or pay costs as ordered, Respondent's license may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order.

7. This Order is effective on the date of its signing.

Wisconsin Psychology Examining Board

By: Dr. Melissa Westendorf
A Member of the Board

2.10.2010
Date

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