

# 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	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
ROBERT K. LA FOUNTAIN, L.C.S.W.,	:	
RESPONDENT.	:	ORDER 0000142

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Division of Enforcement Case # 08 SOC 035, 08 SOC 059

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

Robert K. La Fountain, L.C.S.W.  
N 3812 Boneham Addition Rd.  
Marinette, WI 54143

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

Social Work 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

A disciplinary proceeding was commenced in this matter by the filing of a Notice of Hearing and Complaint with the Social Work Section on August 13, 2009. Prior to the hearing on the Complaint, the parties in this matter agreed to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Section. The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

## FINDINGS OF FACT

1. Robert K. La Fountain, L.C.S.W., (DOB 12/02/1969) is duly licensed as a Clinical Social Worker in the State of Wisconsin (license #123-7110). This license was first granted on April 13, 2004.

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 N 3812 Boneham Addition Road, Marinette, Wisconsin, 54143.

3. At all times relevant to this action, Respondent was working as a social worker at Marinette County Health and Human Services Department in Marinette, Wisconsin.

4. In a therapy session with client A, Respondent asked client A's mother questions about how she wore her hair, and about her tattoo and tongue rings. There appeared to be no therapeutic reason for this line of questioning.

5. In the next therapy session with client A, Respondent asked client A's mother to wear her hair down. Twice during that session, he moved over to her and stroked her hair, commenting on how soft it was. He asked questions during the session about her intimacy with her partner and whether it was an exclusive relationship.

6. In a therapy session with client B, Respondent asked client B's mother what she did for a living. When she answered that she was an exotic dancer, he asked her questions regarding her sexuality, including whether she would date customers, how she shaved her pubic area, and what sexual positions she preferred.

7. In therapy sessions with client C, Respondent commented on client C's mother's appearance, and referred to her as a "MILF," which he later defined for her as a "Mother Who Likes To Fuck." He asked her for a hug, and told her she was beautiful. When she later questioned his behavior, he told her it was due to his "pervertedness."

8. In a therapy session with client D, Respondent asked client D about the frequency of her sexual encounters then referred to her as a "sex pot" for disclosing sexual encounters. During another therapy session with client D, Respondent asked client D whether she had a boyfriend and what she did about sexual urges.

9. Several of Respondent's female co-workers state that Respondent has exhibited similar behaviors in the workplace, including inappropriate sexual comments, and stroking hair.

10. Respondent was terminated from his position at Marinette County, and has not worked as a social worker since.

## 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 4-9 above constitutes a violation of Wisconsin Administrative Code § MPSW 20.02(11) and (22) and subjects respondent to discipline pursuant to Wis. Stat. §457.26.

## ORDER

IT IS ORDERED:

1. Robert K. La Fountain, L.C.S.W., is REPRIMANDED.

2. The license of Robert K. La Fountain, L.C.S.W., to practice Social Work in the State of Wisconsin is LIMITED as follows:

(a) Within 90 days of the date of this Order Respondent shall, at his own expense, undergo a psychological evaluation by a mental health professional with experience evaluating mental health care professionals with boundary issues.

i. The evaluating psychologist must not have treated Respondent at any time and shall have been approved by the Section, with an opportunity for the Division to make its recommendation, prior to the evaluation being performed.

ii. The Division shall provide the evaluating psychologist and Respondent with those portions of the investigative file which the Division believes may be of assistance in performing the evaluation. Respondent may provide the evaluating psychologist with any information Respondent believes will be of assistance in performing the evaluation and shall immediately provide copies of that information to the Division.

iii. Respondent shall authorize the evaluating psychologist to provide the Section, or its designee, and the Division with the evaluation report and all materials used in performing the evaluation and shall provide the Section, or its designee, and the Division with the opportunity to discuss the evaluation and findings with the evaluating psychologist.

(b) Respondent voluntarily agrees not to seek employment as a social worker until the Section has reviewed the results of his psychological evaluation and, if requested by the Section, after he has appeared at a Section meeting to discuss those results. The

Section will evaluate the psychological evaluation results no later than the next scheduled meeting after those results are provided and if an appearance is requested, it will be scheduled for the next scheduled meeting after the results are received.

- (c) The Section may limit Respondent's license in any manner it sees fit to address any recommendations resulting from the assessment. If Respondent believes that any limitation imposed by the Board is inappropriate, Respondent may seek a class 1 hearing pursuant to §227.01(3)(a), Stats., in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious. The suspension or limitations on Respondent's license shall remain in effect until there is a final decision in Respondent's favor on the issue.
- (d) Within 90 days of the date of this Order Respondent, at his own expense, shall complete 6 hours of pre-approved continuing education in boundaries for social workers. The course attended in satisfaction of this Order must be pre-approved by the Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board or its designee. Respondent will be responsible for locating a course satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Respondent will be responsible for paying the full cost of attendance at this course. This course may not be used to satisfy any continuing education requirements of Wis. Stat. 457.22 or Wis. Admin. Code Ch. MPSW 8.
- (e) For a period of at least two (2) years from the date of this Order, Respondent shall arrange for quarterly reports from his employer(s) reporting the terms and conditions of his employment and evaluating his 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.
- (f) 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 Two Thousand, Three Hundred Dollars (\$2,300.00). 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 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 or fails to comply with the ordered continuing education, the Respondent's license (#123-7110) may in the Section's discretion 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 J. Kamps  
A Member of the Section

4/14/10  
Date