

# 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
BRIAN L. LUNDBERG,	:	<u>ORDER00000245</u>
RESPONDENT.	:	

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Division of Enforcement Case # 09 SOC 030

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

Brian L. Lundberg  
1523 ½ John Ave.  
Superior, WI 54880

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 March 2, 2010. 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 Board. The Board has reviewed this Stipulation and considers it acceptable.

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

### FINDINGS OF FACT

1. Brian L. Lundberg, (DOB 09/16/1964) is duly certified as a Social Worker in the State of Wisconsin (certificate #120-3351). This certificate was first granted on April 4, 1994.

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 1523 ½ John Avenue, Superior, Wisconsin, 54880.

3. During the week of May 11, 2009, while performing his duties for the Intoxicated Driver Program of a County human services agency, Respondent stole \$140 in the following manner: when a client paid the \$140 for an assessment, Respondent intentionally inserted a piece of cardboard between the customer receipt and the agency copy of the receipt, to eliminate any agency record of the receipt of the money. Respondent then kept the \$140.

4. On or about May 19, 2009, Respondent voluntarily admitted his theft to his supervisor. He paid the money back on May 28, 2009, and wrote an apology letter to the County.

5. Respondent was terminated from his job, and was found guilty of a City Ordinance relating to the theft.

6. Respondent has cooperated fully with the investigation of this matter by the Section and has shown remorse.

### 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) subjects respondent to discipline pursuant to Wis. Stat. §457.26.

### ORDER

IT IS ORDERED:

1. Brian L. Lundberg is REPRIMANDED.

2. The certificate of Brian L. Lundberg 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 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.
- (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. If Respondent works in any setting in which he would have access to client or patient funds, he shall arrange for his employer to audit those transactions and provide said audits to the Department Monitor quarterly.
- (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 Three Hundred Dollars (\$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 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 (#120-3351) 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 J. Kamps  
A Member of the Section

6/2/10  
Date