

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MARRIAGE AND FAMILY THERAPY SECTION
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING
AND SOCIAL WORK EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
DEVIN C. HAKALA, L.M.F.T., :
RESPONDENT. : ~~ORDER 0001004~~

[Division of Enforcement Case #10 MFT 001]

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

Devin C. Hakala, L.M.F.T.
1011 East Avenue North, Apt. #15
Onalaska, WI 54650

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

Marriage and Family Therapist Section
Marriage and Family Therapy, Professional Counseling
and Social Work Examining Board
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 Marriage and Family Therapist Section. The Section has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Devin C. Hakala, L.M.F.T., (“Respondent”), date of birth March 12, 1973, is licensed to practice as a marriage and family therapist in the State of Wisconsin, pursuant to license number 706-124. This license was granted on June 7, 2005.
2. Respondent’s last address reported to the Department of Regulation and Licensing is 1011 East Avenue North, Apartment #15, Onalaska, WI 54650.
3. At all times relevant to this proceeding, Respondent was employed as a marriage and family therapist at Franciscan Skemp Healthcare in La Crosse, Wisconsin 54601.
4. Respondent and Ms. A were both employed at Franciscan Skemp Healthcare and became acquaintances in 2006.
5. In 2007, At Ms. A’s request, Respondent began a therapeutic counseling relationship with Ms. A’s seven year-old daughter. Respondent provided approximately ten to fourteen counseling sessions for Ms. A’s daughter. Respondent saw Ms. A as a collateral contact during two sessions. Ms. A. was not at any time an identified client of Respondent.
6. In April 2009, sessions between Respondent and Ms. A’s daughter ceased. In July 2009, Respondent and Ms. A began spending time together outside of work and developed a personal relationship. At Ms. A’s and at her daughter’s request, Respondent agreed to provide a counseling session for Ms. A’s daughter on December 22, 2009. A discharge session was scheduled by Respondent and was completed on January 14, 2010.
7. On January 15, 2010, Respondent reported his personal relationship with Ms. A to his employer, and that he was providing counseling to her daughter. Respondent was discharged from his marriage and family therapist position at Franciscan Skemp Healthcare on January 19, 2010, as a result of the dual relationship with Ms. A.

CONCLUSIONS OF LAW

1. The Marriage and Family Therapy Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 457.26(2) and had authority to enter into this stipulated resolution pursuant to Wis. Stat. § 227.44(5).
2. Respondent, by engaging in the conduct set out above, has failed to avoid a dual relationship, which is unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(13), and is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Devin C. Hakala, L.M.F.T. is hereby REPRIMANDED for the conduct described above.
2. Respondent's license to practice as a marriage and family therapist in the state of Wisconsin is LIMITED by the condition that, within nine (9) months of the date of this Order, Respondent shall successfully complete a minimum of six (6) hours of continuing education in the area of boundaries/dual relationships. Respondent shall provide evidence of satisfactory completion of the continuing education to the Department Monitor. The course(s) attended in satisfaction of this requirement may not be used to satisfy the statutory continuing education requirements for licensure.
3. Within thirty (30) days following completion of the course(s) identified in paragraph 2 above, Respondent shall file with the Department Monitor certifications from the sponsoring organization(s) verifying his attendance at the required course(s).
4. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of SIX HUNDRED FIFTY DOLLARS (\$650.00). 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
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

5. 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 even Respondent fails to provide evidence of satisfactory completion of the continued education, or pay the costs as set forth above in a timely matter, the Respondent's license (#706-124) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with this Order.

6. This Order shall become effective on the date of its signing.

Marriage and Family Therapy Section of the Marriage and Family Therapy, Professional
Counseling, and Social Worker Examining Board

By: Arlie J. Albert
A Member of the Board

7/26/2011
Date