

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE PSYCHOLOGY EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JEFFREY A. ADAMCZAK, PSY.D,	:	
RESPONDENT.	:	<b>ORDER 0001354</b>

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Division of Enforcement Case No. 10PSY011

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

Jeffrey A. Adamczak, Psy.D.  
E1541 Penny Lane  
Iola, WI 54945

Division of Enforcement  
Department of Safety and Professional Services  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Wisconsin Psychology Examining Board  
Department of Safety and Professional Services  
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 Wisconsin Psychology Examining 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. Jeffrey A. Adamczak, Psy.D. ("Respondent") was born on July 26, 1963 and is licensed to practice as a psychologist in the state of Wisconsin, pursuant to license number 1758-57. This license was first granted on December 10, 1992 and expires September 30, 2013.
2. Respondent's last address reported to the Department of Safety and Professional Services is E1541 Penny Lane, Iola, WI 54945.

3. At all times relevant to this proceeding, Respondent was employed as a psychologist at Psychology & Counseling Services, Inc. in Oak Creek, Wisconsin.

4. On or about February 25, 2002, patient S.E., a female born November 17, 1970, began professional therapy with Respondent for depression and post-partum issues.

5. Respondent continued to treat S.E. through February 28, 2005. The treatment sessions with S.E. continued to be weekly and sometimes biweekly sessions.

6. During the time Respondent provided treatment from February 2002 through February 2005, S.E. was having marital problems. S.E. filed for divorce from her husband in February 2005.

7. A week after filing for divorce, S.E. had a treatment session with Respondent. During that session, S.E. revealed to Respondent that she had filed for divorce. At the end of the session, S.E. approached Respondent to give him a hug. Respondent spun S.E. around, reached his hands into her pants and touched her genitals. S.E. turned around and the two shared a passionate kiss. S.E. and Respondent arranged to meet up the following day. Respondent told S.E. to stop by his office, after his last session, pretending to be his last patient.

8. The next day, S.E. stopped by Respondent's office after 9:30 p.m. and the two had sexual intercourse on the couch in Respondent's office. At this visit, Respondent told S.E. that because the two had entered into a sexual relationship, she could no longer be considered his patient.

9. Respondent prepared a discharge summary dated March 1, 2005, indicating that S.E. had met all her patient goals, and S.E. did not want to continue with therapy.

10. S.E. and Respondent engaged in a sexual relationship from February 2005 through February 2006. S.E. ended the sexual relationship in February 2006.

11. In December 2009, Respondent contacted S.E. to ask if he could move his office next door to where S.E.'s physical therapy office was. S.E. said it was okay and Respondent moved into his office next to S.E.'s office in January 2010.

12. On March 1, 2010, S.E. witnessed Ms. A, a mutual patient of S.E. and Respondent, leave Respondent's office after 10:30 p.m. S.E. thought her behavior was unusual, and in a private session on March 23, 2010 she asked Ms. A if there was anything sexual going on between her and Respondent. Ms. A became very upset and went into Respondent's office.

13. Immediately following her conversation with Ms. A and continuing over the next few days, S.E. received numerous text messages from Respondent. In the text messages, Respondent pleaded with S.E. to not report or "destroy" him.

14. On March 31, 2010, S.E. received a letter from Respondent's attorney. The letter's purpose was to inform S.E. that Respondent was suffering from severe mental health problems and to see if there was something he could do to amend the situation.

15. On April 30, 2010, S.E. presented to the Oak Creek Police Department to report the incident that occurred with Respondent, as well as the letter from his attorney. S.E. agreed to pursue the matter criminally. S.E. agreed to give a written statement and provide copies of Respondent's text messages and S.E.'s medical records. S.E.'s medical records show that she was a patient of Respondent from February 2002 through February 2005.

16. On August 12, 2010, Respondent was charged with one (1) count of Sexual Exploitation by a Therapist, a Class F Felony, because of his conduct with S.E.

17. On September 2, 2011, a jury found Respondent guilty of one (1) count of Sexual Exploitation by a Therapist, a Class F Felony, because of his conduct with S.E.

18. On October 13, 2011, Respondent was convicted of Sexual Exploitation by a Therapist, a Class F Felony, because of his conduct with S.E.

19. While Respondent does not admit to allegations that reference the existence of a sexual relationship with S.E. prior to March 2005, he agrees to the entry of this Final Decision and Order in the interest of resolving this matter.

20. Respondent's conviction of Sexual Exploitation by a Therapist is a conviction resulting from a violation of a law substantially related to practice as a professional psychologist.

21. Respondent's conduct fell below the minimum standards for the practice of professional psychology when he engaged in a sexual relationship with a former patient less than two (2) years from the termination date of the treatment.

### CONCLUSIONS OF LAW

1. The Wisconsin Psychology Examining Board has jurisdiction in this matter pursuant to Wis. Stat. § 455.09 and authority to enter into the stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by engaging in sexual conduct with S.E., as set out above, has committed unprofessional conduct as defined by Wis. Admin. Code §§ PSY 5.01(14)(b), and is subject to discipline pursuant to Wis. Stat. § 455.09(1)(g).

3. Respondent, by being convicted of a crime, the circumstances of which substantially relate to the circumstances of the professional practice psychology, has committed unprofessional conduct as defined by Wis. Admin. Code § PSY 5.01(5), and is subject to discipline pursuant to Wis. Stat. § 455.09(1)(g).

## ORDER

IT IS HEREBY ORDERED that:

1. The SURRENDER by Jeffrey A. Adamczak, Psy.D. of his license to practice psychology in the state of Wisconsin is hereby accepted, effective immediately.

IT IS FURTHER ORDERED that:

2. Respondent shall not petition the Psychology Examining Board for re-licensure for at least two (2) years from the date of this Order. After the two-year period, the Psychology Examining Board may or may not grant Respondent re-licensure, but he may petition for such under the following terms and conditions:

a. Respondent shall notify the Division of Enforcement (Division) of the request and the Division shall have the opportunity to apprise the Board of all allegations and information contained in the investigative file.

b. Respondent shall meet all of the statutory and rule requirements for licensure in effect at the time of application.

c. In the event that Respondent petitions the Psychology Examining Board for re-licensure, Respondent shall pay to the Department of Safety and Professional Services the costs of this proceeding in the amount of ONE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$1,750.00) pursuant to Wis. Stat. § 440.22(2), at that time.

d. In the event that Respondent petitions the Psychology Examining Board for re-licensure, Respondent shall have undergone, at his own expense, an assessment by a mental health care practitioner with experience in assessing health care providers who have become involved sexually with patients or clients.

e. The practitioner performing the assessment shall not have treated Respondent prior to the assessment. The practitioner shall be approved by the Board or its designee before the assessment is performed, allowing an opportunity for the Division of Enforcement to make its recommendation.

f. Respondent must provide proof sufficient to the Board that Respondent can practice with reasonable skill and safety of clients and public.

g. The Board, in deciding whether to grant the petition, shall consider and weigh the three objectives of professional discipline:

- 1) Protection of the public;
- 2) Deterrence of the licensee and other licensees; and

3) Rehabilitation of the licensee.

h. If the Board determines to grant Respondent's petition for re-licensure, Respondent's license shall be limited in a manner to address any concerns the Board has as a result of the conduct set out in the findings of fact and to address any recommendations resulting from the assessment, including, but not limited to:

- 1) Psychotherapy, at Respondent's expense, by a therapist approved by the Board, to address specific treatment goals with periodic reports to the Board by the therapist;
- 2) Additional professional education in any identified areas of deficiency; and
- 3) Restrictions on the nature of practice or practice setting or requirements for supervision of practice, by a professional approved by the Board, with periodic reports to the Board by the supervisor.

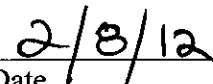
3. If Respondent believes that any denial of licensure or that any limitation imposed by the Board is inappropriate, Respondent may seek a class 1 hearing pursuant to Wis. Stat. § 227.01(3)(a) in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious. The denial or limitations on Respondent's license shall remain in effect until there is a final decision in Respondent's favor on the issue.

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

Wisconsin Psychology Examining Board

By:

  
a Member of the Board 

  
Date

10PSY011/Adamczak/Konkol/01-05-12