

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
GUY E. ONWILER,	:	
RESPONDENT.	:	<u>ORDER 0001367</u>

[Division of Enforcement Case #11 RSA 050]

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

Guy E. Onwiler
750 S. Main St.
Janesville, WI 53545

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

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

The parties in this matter agree to the terms of the attached Stipulation as the final decision of this matter, subject to the approval of the Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Guy E. Onwiler was born on July 5, 1954 and is certified as a substance abuse counselor in the State of Wisconsin (certificate #15349-131). This certificate was first granted on February 26, 2007.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services is 750 South Main Street, Janesville, Wisconsin.

3. At all times relevant to this case, Respondent was employed as Program Director AlcoCare, Inc., located in Janesville, Wisconsin. In his position, Respondent provided substance abuse counseling services to clients.

4. AlcoCare was a contracted provider of drug and alcohol treatment services to Rock County Human Services. In December 2011, Rock County Human Services initiated an investigation against Respondent based on allegations of counselor-client boundary issues. The investigation included an interview with Respondent on December 14, 2011.

5. The investigation revealed, and Respondent admitted, that Respondent had social relationships with several of his clients outside of his role as treatment provider. The relationships include, but is not limited to, the following:

- a. Respondent invited clients to his home for dinner;
- b. Respondent invited clients to his home to watch televised fights, movies, sports games and other similar entertainment;
- c. At least one client considers Respondent a "friend";
- d. Respondent communicated unprofessionally with clients via social networking websites; and
- e. Respondent personally paid at least one client to provide maintenance work at AlcoCare.

6. Substance abuse counselors are prohibited from dual relationships, relationships that may impair the professional's objectivity and relationships that may create a conflict of interest for the professional.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction over this matter pursuant to Wis. Stat. § 440.88 and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct, as described above, constitutes unprofessional conduct as defined by Wis. Admin. Code § RL 164.01(2)(n) (Wis. Admin. Code § SPS 164.01(2)(n) as of December 1, 2011) and subjects Respondent to discipline pursuant to Wis. Stats. § 440.88(6).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent, Guy E. Onwiler (certificate #15349-131) is **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Within ninety (90) days from the date of this Order, Respondent shall obtain and successfully complete a minimum of three (3) hours of education in ethics pertaining to boundaries.

- a. Respondent shall locate and have the Department pre-approve each educational program prior to Respondent completing it.
- b. Within 30 days after Respondent has completed each educational program, Respondent shall submit to the Department Monitor proof of his attendance and that he has successfully completed each educational program.
- c. Respondent cannot apply these three hours of education to the biennial continuing education requirements. If Respondent obtains more than three hours of education to fulfill the requirements of this Order, then Respondent can use any of the hours of education obtained in excess of three hours towards the biennial continuing education requirements.
- d. Requests for pre-approval of education and proof of successful completion shall be submitted to the Department Monitor at the address below.
- e. Respondent is responsible for all costs of compliance with this Order

3. Within ninety (90) days of the date of this Order, Respondent shall pay costs of this proceeding in the amount of TWO HUNDRED DOLLARS (\$200.00) pursuant to Wis. Stat. § 440.22(2). Payment shall be made payable to the Wisconsin Department of Safety and Professional Services and mailed to the Department Monitor at the address below.

4. All requests, notifications and payment shall be mailed, faxed or delivered to:


Department Monitor
Department of Safety and Professional Services
Division of Enforcement
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

5. Violation of any term or condition 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 Department 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 timely pay the costs or submit proof of successful completion of the education as set forth above, the Respondent's certificate (#15349-131) may, in the discretion of the Department or its designee, be SUSPENDED, without further

notice or hearing, until Respondent has paid costs and submitted proof of successful completion of the education.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By 
Michael J. Berndt, General Counsel
On behalf of the Department

2/16/12
Date