

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
MICHAEL DEMINSKY,	:	
RESPONDENT.	:	ORDER 0002098

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Division of Enforcement Case No. 12 MFT 002

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

Michael Deminsky  
224 13th Street SE  
Menomonie, WI 54751

Division of Enforcement  
Wisconsin Department of Safety and Professional Services  
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  
Wisconsin 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 and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Marriage and Family Therapist Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board ("Section"). The Section has reviewed the attached Stipulation and considered it acceptable.

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

FINDINGS OF FACT

1. Michael Deminsky, (DOB October 11, 1956), is credentialed as a licensed marriage and family therapist in the State of Wisconsin pursuant to credential number 484-124. This credential was first granted on October 25, 1995.

2. Respondent's last known address reported to the Marriage and Family Therapist Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board is 224 13th St. SE, Menomonie, WI 54751.

3. On or about January 28, 2011, Respondent renewed his marriage and family therapist credential in the State of Wisconsin. During the continuing education portion of the renewal process, Respondent certified the following statement:

"I have completed 30 credit hours of continuing education in approved programs as provided in section MPSW 19.01, Wisconsin Administrative Code, between March 1, 2009 and February 28, 2011. I have or will have evidence of this which I will furnish to the Board upon request."

4. In July 2011, the Department conducted a continuing education audit on behalf of the Section. Respondent was selected to comply with this audit and as a result, was requested to submit an attendance table and proof of attendance for the continuing education hours he completed during the 2009-2011 credentialing period.

5. Respondent completed the attendance table and provided proof of completion for 30 continuing education hours (CEH), but that he had failed to obtain a minimum of 15 of his CEHs from programs and other educational activities that met the criteria of, and were recognized under Wis. Admin. Code § MPSW 19.02(1) to (4), as required under Wis. Admin. § MPSW 19.01(4m).

6. In order to get into compliance with the continuing education requirements for the 2009 – 2011 biennium, Respondent needs to obtain an additional 11 CEHs from programs and other educational activities that meet the criteria of, and are recognized under Wis. Admin. Code § MPSW 19.02(1) to (4), as required under Wis. Admin. Code § MPSW 19.01(4m).

7. When Respondent was contacted by the Department, he said that would not be able to take and complete eleven hours of continuing education courses in order to come into compliance with the continuing education requirements for the 2009 – 2011 until sometime in 2013 because he had already used up all his hours away from his clinical practice for educational purposes for this year.

8. Wis. Admin. Code § MPSW 19.01(2) requires any licensee who fails to meet continuing education requirements by the renewal deadline to discontinue the use of the title "marriage and family therapist" and to cease the practice of marriage and family therapy until he or she completes the continuing education requirement.

#### CONCLUSIONS OF LAW

1. The Section 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 5 - 7 above constitutes a violation of Wis. Admin. Code § MPSW 19.01(4m) and subjects Respondent to discipline pursuant to Wis. Stat. § 457.26(2)(f).

### ORDER

IT IS HEREBY ORDERED that:

1. Michael Deminsky's marriage and family therapist credential in the State of Wisconsin is indefinitely SUSPENDED. Respondent shall not practice as a marriage and family therapist during the time that his marriage and family therapist credential is SUSPENDED. Respondent may petition for reinstatement of his credential after successfully completing all continuing education, as required by MPSW § 19.01, for the 2009-2011 biennium.

a. Upon petitioning the Section for reinstatement, Respondent shall provide proof of successful completion of all continuing education credits.

b. The continuing education courses taken in satisfaction of this Order shall not count towards the 2011-2013 biennium.

2. Respondent shall, within one hundred eighty (180) days from the date of this Order, pay costs of this proceeding in the amount of TWO HUNDRED FIFTY DOLLARS (\$250.00).

3. All petitions, payments, reports and other correspondence shall be directed to the Department Monitor, as follows:

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

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 credential. 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 that Respondent fails to pay costs as ordered, Respondent's credential may, in the

discretion of the Section or its designee, be or remain 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.

MARRIAGE AND FAMILY THERAPIST SECTION OF THE  
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING AND  
SOCIAL WORK EXAMINING BOARD

By: Allen J. Albrecht 10/23/12  
A Member of the Section Date