

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

FREDERICK YOUNG,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:
: ORDER 0002172

Division of Legal Services and Compliance¹ Case No. 12 RSA 011

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

Frederick Young
3819 North 5th Street
Milwaukee, WI 53212

Wisconsin Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
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 disposition of this matter, subject to the approval of the Wisconsin 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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Frederick Young (dob September 15, 1957) is licensed in the State of Wisconsin as a substance abuse counselor-in-training, having license number 130-16312, first issued on May 12, 2011 and current through February 28, 2013. Respondent's most recent address on file with the Department is 3819 North 5th Street, Milwaukee, Wisconsin 53212.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. At all times relevant to this action, Respondent was employed as a substance abuse counselor for a family services agency in Milwaukee, Wisconsin.

3. On April 4, 2012, the Wisconsin Department of Health and Human Services contacted Respondent's employer regarding allegations made by Patient A. Patient A alleged that Respondent engaged in the following unprofessional conduct while providing counseling services to Patient A:

- a. Respondent made flirtatious comments and exhibited inappropriate behavior during counseling sessions.
- b. Respondent offered to drive Patient A home on one occasion and requested and accepted a ride from Patient A on another occasion.

4. On April 5, 2012, Respondent admitted to the following during a meeting with Respondent's employer to discuss the above mentioned allegations:

- a. Respondent requested and accepted a ride from Client A to a medical appointment for Respondent.
- b. Respondent referred Client A to a mechanic friend and met Client A at the friend's garage on a Saturday morning.
- c. Respondent stated that he was unaware that fraternization with clients was prohibited.

5. Respondent denies making flirtatious comments and exhibiting inappropriate behavior during counseling sessions.

6. As a result of the above mentioned admissions, Respondent's employer concluded that Respondent's suitability for the substance abuse profession is "suspect due to his ignorance of the basic tenets of the substance abuse counselor's code of conduct".

7. On April 12, 2012, Respondent resigned from his employment at the agency.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.88(6), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent Frederick Young engaged in a dual relationship with a client which constitutes unprofessional conduct as defined in Wis. Admin. Code § SPS 164.01(2)(n).


3. As a result of the conduct noted in the Conclusions of Law, Respondent is subject to discipline pursuant to Wis. Stat. § 440.88(6).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Frederick Young (license number 130-16312) is REPRIMANDED.
3. Within 90 days from the date of this Order, Respondent shall, at Respondent's own expense, successfully complete eight (8) hours of education in ethics and boundaries for substance abuse counselors, offered by a provider pre-approved by the Department's monitoring liaison, including taking and passing any exam offered for the course.
4. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
5. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of One Hundred Dollars (\$100.00).
6. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov
7. 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 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 submit payment of the costs as ordered and as set forth above, Respondent's license (no. 130-16312) may, in the discretion of the Department, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.
8. This Order is effective on the date of its signing.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: 
Michael J. Berndt, Chief Legal Counsel
On Behalf of the Department

12/4/12
Date