

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
MARK F. MUELLER,	:	
RESPONDENT.	:	ORDER 0002232

Division of Legal Services and Compliance¹ Case No. 12 CPC 016

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

Mark F. Mueller
707 Rose Street
Black River Falls, WI 54615

Professional Counselor Section
Wisconsin Marriage and Family Therapy, Professional Counseling and
Social Work Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
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 Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Board (Section). The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

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

FINDINGS OF FACT

1. Respondent Mark F. Mueller (dob: 05/10/1967) is licensed in the State of Wisconsin as a Licensed Professional Counselor, having license number 125-2661, first issued on 06/30/1997, and current through 02/28/2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 707 Rose Street, Black River Falls, Wisconsin 54615.
2. Respondent was employed as a psychotherapist at the Mayo Clinic Health System-Franciscan Medical Center (Mayo Clinic), located in Tomah, Wisconsin, until February 2012, when Respondent resigned due to health reasons.
3. On 05/14/2012, the Wisconsin Department of Health Services, Office of Care Giver Quality conducted a routine recertification survey of the Mayo Clinic.
4. The survey revealed that three out of the eleven randomly selected patient medical records were inadequate in that the records lacked clinical documentation of services provided and adequate client assessments.
5. All three inadequate records were maintained by Respondent, who provided services and treatment to the three clients.
6. Mayo Clinic then conducted a review of all medical records of clients that Respondent had provided care and treatment to, from October to December of 2011, and discovered that approximately 50% of the records were incomplete, lacking patient assessments, documentation of clinical contacts, progress notes, and other required documentation.

CONCLUSIONS OF LAW

1. The Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 457.26, 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 engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(18) by failing to maintain adequate records relating to the services provided a client in the course of a professional relationship.
3. As a result of the above violations, Mark F. Mueller is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f)

ORDER

1. The attached Stipulation is accepted.
2. Respondent Mark F. Mueller is REPRIMANDED.

3. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$50.00.

4. 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

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 event Respondent fails to timely submit payment of the costs as ordered, Respondent's license (125-2661) may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs.

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

PROFESSIONAL COUNSELOR SECTION
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND
SOCIAL WORK EXAMINING BOARD

By:


A Member of the Section

12/19/12
Date