

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LYNN K. NIENAS,  
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0002245

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Division of Legal Services and Compliance<sup>1</sup> Case No. 12 SOC 010

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

Lynn K. Nienas  
2018 LaSalle Street Upper  
Racine, WI 53402

Social Worker Section  
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 Social Worker Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (Section). The Section 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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Lynn K. Nienas (dob November 1, 1962) is licensed in the State of Wisconsin as a social worker, having license number 120-3369, first issued on April 4, 1994, and

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<sup>1</sup> The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

current through February 28, 2013. Lynn K. Nienas' most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2018 LaSalle Street Upper, Racine, WI 53402.

2. On or about March 10, 2011, Respondent renewed her social worker 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.

3. 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 all of the continuing education hours ("CEH") she completed during the 2009-2011 biennium.

4. Upon the Department's request that she submit an attendance table and proof of completion of the CEH acquired during the 2009 – 2011 biennium, Respondent submitted documentation showing that she had only successfully completed 10 CEH for the 2009-2011 biennium. She included documentation showing that she successfully completed the 4 CEH requirement in the area of Social Work Ethics and Boundaries.

5. Respondent needed to obtain and successfully complete an additional 20 CEH to be in compliance with all the CEH requirements for the 2009 – 2011 biennium.

6. Respondent provided the Certificates of Completion for the following continuing education courses, totaling 21 CEH, that were all taken after the 2009-2011 biennium:

- a) "Long Term Care Options Counseling," an online CE course, completed January 16, 2012, 7 hours;
- b) "Medicare/Medicaid Training (1 of 3)," an in-house training CE course, completed February 1, 2012, 2 hours;
- c) "Medicare/Medicaid Training (2 of 3)," an in-house training CE course, completed February 1, 2012, 2 hours;
- d) "Medicare Workshop," sponsored by Racine County, completed February 10, 2012, 2 hours;
- e) "Autism Spectrum Disorders," online CE Course, completed February 13, 2012, 4 hours;
- f) "Community Resources Directory," an in-house training CE course, completed February 14, 2012, 2 hours;
- g) "Medicare/Medicaid Training (1 of 3)," an in-house training CE course, completed February 1, 2012, 2 hours;

7. The Department has received all certificates of Completion and/or proof of attendance for all the continuing education courses listed above. Respondent is now in compliance with all the continuing education requirements for the 2009 – 2011 biennium by completing a total of 31 CEH.

#### CONCLUSIONS OF LAW

1. The Social Worker Section of the 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. Respondent's conduct in paragraphs 4-5 describes a failure to complete at least 30 Section-approved credit hours of continuing education in the 2009-2011 credentialing period as required by Wis. Admin. Code § MPSW 8.02(1), and subjects Respondent to discipline pursuant to Wis. Stat. § 457.26(2)(h).

#### ORDER

1. The attached Stipulation is accepted.
2. Respondent Lynn K. Nienas is REPRIMANDED.

IT IS FURTHER ORDERED, effective the date of this order:

3. Lynn K. Nienas shall not use any of the continuing education hours listed in the Findings of Fact paragraph 6 to satisfy the CEH requirements of the 2011-2013 biennium.

4. Within ninety (90) days from the date of this Order, Lynn K. Nienas shall pay COSTS of \$325.00.

5. 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](mailto:DSPSMonitoring@wisconsin.gov)

6. 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 (120-3369) 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.

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

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

by: Eire Alon  
A Member of the Section du

12/21/12  
Date