

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JEAN M. LENNON,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
:  
: ORDER 0002276

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Division of Legal Services and Compliance<sup>1</sup> Case No. 12 RSA 041

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

Jean M. Lennon  
17505 Echo Lane  
Brookfield, WI 53045

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 Jean M. Lennon (dob January 30, 1961) (Respondent) is certified in the state of Wisconsin as a clinical substance abuse counselor, having certificate number 132-15414, first issued on August 31, 2009, and current through February 28, 2013. Jean M. Lennon's most recent address on file with the Department is 17505 Echo Lane, Brookfield, WI 53045.

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

2. At all times relevant to this case, Respondent was employed as a clinical substance abuse counselor at Quality Addiction Management (QAM) in Waukesha, Wisconsin.

3. Mr. A is a patient in QAM's opiate treatment program and Respondent was assigned to provide counseling to Mr. A. Mr. A takes methadone at strictly prescribed times as part of his opiate treatment program.

4. On September 2, 2012, emergency medical personnel were called to Mr. A's residence to respond to a report that Respondent was unconscious and unresponsive. It was later discovered that Respondent had become unconscious and unresponsive due to an overdose of methadone while she had been spending the night at Mr. A's residence.

5. Mr. A dilutes his methadone with water or juice and keeps it in a glass on his bedside table. This allows him to wake up briefly, take his methadone at the prescribed time, and then go back to bed. While Respondent was spending the night at Mr. A's residence, Respondent drank Mr. A's glass of premeasured methadone, and when Respondent started to become unconscious, Mr. A called 911.

6. According to a Waukesha County Sheriff's Department incident report, Mr. A told a Deputy that he and Respondent had been having a sexual relationship from the summer of 2012 until September 2, 2012, while Respondent was his counselor at QAM. Mr. A stated that he was aware that Respondent used methadone from time to time, but was not aware of how she obtained it.

7. Respondent admitted in a Waukesha County Sheriff's Department incident report that she was in a sexual relationship with Mr. A, and that she was Mr. A's counselor at QAM. She stated she had mistakenly consumed Mr. A's premeasured dose of methadone that had been mixed with juice on September 2, 2012. Respondent denied that she diverted methadone from QAM.

8. Respondent asserts that she ended her employment with QAM as a clinical substance abuse counselor on September 4, 2012.

9. According to a Waukesha County Sheriff's Department incident report, the QAM Clinic Manager reported that Respondent was terminated on September 5, 2012, when Respondent did not show up for work. The Clinic Manager reported that methadone was not diverted from QAM.

10. In a letter to the Department dated November 29, 2012, Respondent denied that she used methadone before her September 2, 2012 accidental methadone overdose, and asserted that she kept professional boundaries with Mr. A during the two years that she provided treatment to him. Respondent stated that she did not seek supervision because she felt she was in love with Mr. A, and instead made plans to transfer Mr. A to a different clinic, and to leave the counseling profession.

11. On December 27, 2012, during the course of the Department's investigation, Mr. A stated that while he was Respondent's client, he and Respondent engaged in a sexual relationship during the summer of 2012, and they would talk on the phone and spend time

together outside of the QAM counseling sessions. Mr. A denied that Respondent had ever used methadone before Respondent's September 2, 2012 accidental methadone overdose, and denied making a statement to a Waukesha County Deputy that Respondent used methadone from time to time.

12. On December 27, 2012, Mr. A stated that Respondent is still in contact with him, but they are not living together, are no longer involved in a sexual relationship, and he continues to receive methadone treatment at QAM.

13. In Respondent's November 29, 2012 letter, she denied that she was still in contact with Mr. A since her September 2, 2012 methadone overdose. Respondent stated that she does not plan to return to the counseling profession until she, her personal counselor, family, and friends feel confident that she is able.

14. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### 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. Respondent Jean M. Lennon violated Wis. Admin. Code § SPS 164.01(2)(m) by engaging in inappropriate sexual contact with a patient.

3. Respondent Jean M. Lennon violated Wis. Admin. Code § SPS 164.01(2)(v) by engaging in a single act of gross negligence and in a pattern of negligence as a substance abuse professional.

4. As a result of the violations noted in the Conclusions of Law, Respondent Jean M. Lennon is subject to discipline pursuant to Wis. Stat. § 440.88(6).

#### ORDER

1. The Department accepts the resignation and VOLUNTARY SURRENDER of Respondent Jean M. Lennon's clinical substance abuse counselor certificate (# 132-15414) and all rights and privileges attendant to the certificate. Respondent shall not practice as a clinical substance abuse counselor in the state of Wisconsin without first being certified.

2. Within fourteen (14) days from the date of this Order, Jean M. Lennon shall mail or physically deliver all indicia of certification to the Department Monitor at the address below.

3. Within ninety (90) days from the date of this Order, Jean M. Lennon shall pay COSTS of this proceeding in the amount of FIVE HUNDRED DOLLARS (\$500.00). 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

4. In the event that Respondent applies for a credential with the Department, no credential shall be granted unless Respondent has complied with full payment of the costs in this Order.

5. Respondent shall not re-apply for a certificate unless and until she satisfies the Department that she has:

- a. Completed an AODA assessment and recommended treatment, including drug monitoring if appropriate;
- b. Completed a psychological evaluation and recommended treatment; and
- c. Established to the discretion of the Department that she no longer presents an unacceptable risk of harm to patients or herself.

6. Respondent will accept and abide by the limitations determined advisable by the Department.

7. 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

2/1/13  
Date