

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
HEATHER J. RETZLAFF,	:	
RESPONDENT.	:	ORDER 0002322

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Division of Legal Services and Compliance<sup>1</sup> Case No. 12 SOC 092

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

Heather J. Retzlaff  
60 Victoria Court  
Oshkosh, WI 54902-7371

Social Worker Section  
Wisconsin Marriage and Family Therapy, Professional  
Counseling and Social Work Examining Section  
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 Section in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Heather J. Retzlaff, (dob September 26, 1969), is licensed in the State of Wisconsin as a Social Worker, having license number 120-2707. Respondent's license was

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

first issued on December 30, 1993 and is current through February 28, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 60 Victoria Court, Oshkosh, Wisconsin 54902-7371.

2. At all times relevant to this proceeding, Respondent was working as a social worker with Fond du Lac County Department of Social Services, located in Fond du Lac, Wisconsin.

3. Respondent provided social work services to Client A between July 11, 2008 and January 16, 2012.

4. In February 2012, Respondent's coworkers reported concerns about Respondent's behavior with Client A to their employer. The co-workers had reason to believe that Respondent was seeing Client A outside of professional settings and had engaged in inappropriate conduct such as buying him clothes and other personal gifts.

5. Respondent attempted to meet with her employer to discuss the allegations of misconduct with her former client but she chose to resign instead.

6. Respondent admits that she developed an intimate personal relationship, which included sexual contact and sexual conduct with Client A, beginning after he was discharged as her client but prior to two years after the termination of professional services.

7. Respondent was aware of the rule of professional conduct which prohibits social workers from engaging in dual relationships with clients and the prohibition against engaging in sexual contact with a client, and that a person shall continue to be a client for 2 years after the termination of professional services.

8. Since her resignation from employment with Fond du Lac County Department of Social Services, Respondent has not been employed as a social worker.

#### CONCLUSIONS OF LAW

1. The Wisconsin Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Section has jurisdiction to act in this matter pursuant to Wis. Stat. § 457.26(2), 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 Heather J. Retzlaff committed unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(11) by engaging in sexual contact and sexual conduct with a client within 2 years after the termination of professional services.

3. By the conduct described in the Findings of Fact, Respondent Heather J. Retzlaff committed unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02 (13) by failing to avoid dual relationships which may impair the credentialed persons objectivity or may create a conflict of interest.


4. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. §457.26(2)(f).

ORDER

1. The attached Stipulation of the parties is accepted.
2. The Section accepts the VOLUNTARY SURRENDER of Respondent Heather J. Retzlaff's license (lic. 2707-120) to practice as a social worker in the State of Wisconsin, and all rights and privileges attendant to the license, including the right to renew her license.
3. In the event Respondent Heather J. Retzlaff should apply for Wisconsin licensure as a social worker, the Section may enter an order denying such application without further notice or hearing or in the alternative issue a limited license based on the facts set out in the Final Decision and Order. Respondent has expressly waived all rights to a hearing on any such denial or limitation.
4. The decision of whether or not Respondent is granted a social worker license in the future is at the Board's discretion.
5. This Order shall be effective on the date of its signing.

SOCIAL WORKER SECTION  
WISCONSIN MARRIAGE AND FAMILY THERAPY, PROFESSIONAL  
COUNSELING AND SOCIAL WORK EXAMINING SECTION

by:

  
A Member of the Section

Date

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