

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

ANDREW FREEMAN,
RESPONDENT.

:
:
:
:
:

ADMINISTRATIVE INJUNCTION

0002670

Division of Legal Services and Compliance Case No. 13 UNL 032 (SOC), 13UNL 034 (RSA)

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

Andrew Freeman
710 Arcadian Ave.
Waukesha, WI 53186

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 Andrew Freeman is not and has never been licensed to practice social work or substance abuse counseling in the State of Wisconsin.
2. Respondent's Address of record is 710 Arcadian Avenue, Waukesha, WI 53186.
3. Respondent was working as a Behavioral Health Therapist from January 12, 2012 through March 25, 2012.

4. Respondent's job description as a Behavioral Health Therapist includes "Under the supervision of licensed provider conducts patient assessments and provides psychotherapy and other related therapies to individuals, couples, families or groups of patients."

5. Respondent stated that he did engage in counseling with individuals who had a primary substance use diagnosis under supervision.

6. Respondent states that at no time during his employment did he hold himself out as a substance abuse counselor or a social worker.

7. Respondent neither admits nor denies the allegations, but elected to stipulate to the conclusions of law below.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21, and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described above, Respondent violated Wis. Stat. § 457.04(7) by practicing psychotherapy without a license.

3. By the conduct described above, Respondent violated Wis. Admin. Code § MSW 161.01(2) by being employed in a position providing substance use disorder treatment without a license or certificate.

4. By the conduct described above, Respondent violated Wis. Admin. Code § MSW 163.01(1) by treating persons with a substance use disorder, treating the substance use disorder issues of a person with a dual diagnosis and being employed within a program that is identified as a substance use disorder treatment program.

ORDER

1. The attached stipulation is accepted.

2. Unless and until Respondent is properly licensed to practice social work by the Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board, Respondent is enjoined and prohibited from the practice of social work in the State of Wisconsin. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).

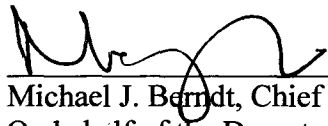
3. Unless and until Respondent is properly certified to practice substance abuse counseling by the Wisconsin Department of Safety and Professional Services, Respondent is enjoined and prohibited from the practice of substance abuse counseling in the State of Wisconsin. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).

4. If the Department determines that there is probable cause to believe that Respondent has violated any terms of this Administrative Injunction, the Department may refer the violations covered by this decision and order to any appropriate prosecutorial unit for review for possible criminal charges.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 10th day of October, 2013.

By:



Michael J. Berndt, Chief Counsel
On behalf of the Department