

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KATHERINE M. ELGIN, S.A.C.-IN TRAINING,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
: *ORDER 000 3289*

---

Division of Legal Services and Compliance Case No. 14 RSA 016

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

Katherine M. Elgin, S.A.C.-in training  
4468 North Oakland Ave. Apt. 26  
Shorewood, WI 53211

Wisconsin Department of Safety and Professional Services  
P.O. Box 8368  
Madison, WI 53708-8368

Division of Legal Services and Compliance  
Wisconsin Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

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 Katherine M. Elgin, S.A.C.-in training, (dob March 12, 1985) is certified in the state of Wisconsin to practice substance abuse counseling, having certification number 16531-130, first issued on March 8, 2012 and current through February 28, 2015. Respondent's most recent address on file with the Department is 4468 North Oakland Avenue, Apartment 26, Shorewood, Wisconsin 53211.

2. At all times relevant to this proceeding, Respondent was employed as a substance abuse counselor-in training at a clinic, located in Milwaukee, Wisconsin.

3. Respondent began to see Patient A on an individual basis about May or June 2013.

4. In July 2013, while Respondent was on vacation, she texted Patient A to provide him with the Central Office's phone number in case Patient A needed information about 12-step meetings or assistance in finding transportation to recovery oriented events over the holiday weekend.

5. Respondent admitted that texting was not an appropriate form of communication with Patient A.

6. During the following weeks, Respondent and Patient A began communicating more frequently via text message to discuss concerns related to Patient A's therapy. The text messages became more personal in nature, thus eroding the therapist-patient boundary.

7. Respondent realized Patient A needed to be transferred to another therapist and made the appropriate arrangement.

8. On July 22, 2013, Respondent permitted Patient A to come to her apartment. Respondent admits to engaging in sexual contact with Patient A in her apartment.

9. Respondent admits that she and Patient A continued to engage in a physical relationship over the course of the next 3 weeks.

10. Respondent admits to continuing to exchange text messages with Patient A after she ended the physical relationship and face-to-face contact.

11. Respondent admits she exceeded professional boundaries with Patient A and she failed to seek out the supervision she needed.

12. 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, 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 Katherine M. Elgin, S.A.C.-in training, engaged in unprofessional conduct as defined in Wis. Admin. Code § 164.01(2)(m), by engaging in inappropriate sexual contact, exposure, gratification, or other sexual behavior with a patient within two years after the termination of professional services.


3. As a result of the violations noted in the Conclusions of Law, Respondent Katherine M. Elgin, S.A.C.-in training, is subject to discipline pursuant to Wis. Stat. § 440.88(6).

ORDER

1. The attached Stipulation is accepted.
2. The SURRENDER of the certificate and privilege of Katherine M. Elgin, S.A.C.-in training, (certificate no. 16531-130) to practice substance abuse counseling in the State of Wisconsin is hereby accepted.
3. In the event that Respondent petitions the Department for reinstatement as a substance abuse counselor in the future, the Department may enter an order denying such application without further notice or hearing. Whether to grant a certificate and whether to impose any limitations or restrictions on any certificate granted shall be in the discretion of the Department.
4. Within ninety (90) days from the date of this Order, Katherine M. Elgin, S.A.C.-in training, shall pay COSTS of this matter in the amount of \$273.50.
5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondent 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 7190, Madison, WI 53707-7190  
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 certificate.
7. This Order is effective on the date of its signing.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By:   
Michael J. Bernot, Chief Counsel  
On Behalf of the Department

7/1/14  
Date

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KATHERINE M. ELGIN, S.A.C.-IN TRAINING,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

ORDER 0003289

---

Division of Legal Services and Compliance Case No. 14 RSA 016

Respondent Katherine M. Elgin, S.A.C.-in training and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by attorney Katherine L. Charlton.

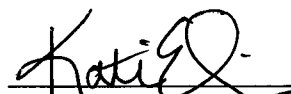
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Department of Safety and Professional Services (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.


6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.

  
Katherine M. Elgin, S.A.C.-in training, Respondent  
4468 North Oakland Ave. Apt. 26  
Shorewood, WI 53211  
License no. 16531-130

6/23/14  
Date

  
Katherine L. Charlton, Attorney for Respondent  
Hawks Quindel, S.C.  
222 E. Erie St., Ste. 210  
Milwaukee, WI 53201

6/17/14  
Date

  
James E. Polewski, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

June 27, 2014  
Date