

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

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
JENNIFER A. ELLIOT, :
RESPONDENT. : 0003908

Division of Legal Services and Compliance Case No. 15 RSA 005

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

Jennifer A. Elliot
2400 Mound Zion Woods Court
Brookfield, WI 53005

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 Jennifer A. Elliot (dob June 27, 1968) is certified in the state of Wisconsin as a clinical substance abuse counselor, having certificate number 11650-132, first issued on August 16, 2000 and current through February 28, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2400 Mound Zion Woods Court, Brookfield, Wisconsin 53005.

2. At all times relevant to this proceeding, Respondent was employed as a social worker at a county human services agency in Wisconsin.

3. Respondent accessed a confidential human services data base to obtain information about an agency client or former client for her personal use and without a legal basis for doing so.

4. In resolution of this matter, Respondent neither admits nor denies the allegation, but 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. Information in the confidential human services data base includes detailed case information used by local child welfare agency staff for child welfare purposes. The data base may be accessed by human services professionals only for official purposes. See Wis. Stats. §§ 48.981, 48.78 and 48.396.

3. Wisconsin Stats. §§ 48.981, 48.78 and 48.396 are laws the circumstances of which are substantially related to practice as a credentialed substance abuse professional.

4. By the conduct described in the Findings of Fact, Jennifer A. Elliot engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(b), by violating, or aiding and abetting a violation of, any law or rule substantially related to practice as a substance abuse professional.

5. As a result of the violation noted in the Conclusions of Law, Respondent Jennifer A. Elliot is subject to discipline pursuant to Wis. Stat. § 440.88(6).

ORDER

1. The attached Stipulation is accepted.

2. The certification of Jennifer A. Elliot (certificate number 11650-132), to practice as a clinical substance abuse counselor in the State of Wisconsin is SUSPENDED for a period of fourteen (14) days, commencing on June 15, 2015.

3. Respondent shall not engage in the practice of substance abuse counseling while her certification to do so is suspended.

4. The suspension shall terminate at midnight on June 29, 2015.

5. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$287.00.

6. 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 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

7. 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 Department in its discretion may in the alternative impose additional conditions and limitations for a violation of any of the terms of this Order. In the event Respondent fails to pay costs as ordered, or practices as a substance abuse counselor, whether paid or unpaid, during the period of suspension Respondent's certificate (no. 11650-132) may, in the discretion of the Department's designee, be SUSPENDED until costs are paid in full, or may be otherwise disciplined, as the Department deems advisable.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By:


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

Date

4/14/15

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JENNIFER A. ELLIOT,
RESPONDENT.

:
:
:
:
:
:

STIPULATION

0003908

Division of Legal Services and Compliance Case No. 15 RSA 005

Respondent Jennifer A. Elliot 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 neither admits nor denies the allegations, however 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 David A. McClurg.


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 or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

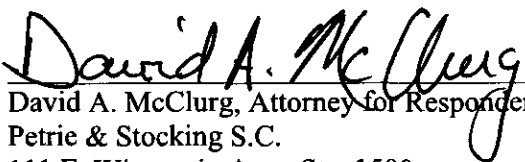
7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.




Jennifer A. Elliot, Respondent
2400 Mound Zion Woods Ct.
Brookfield, WI 53005
Certificate no. 11650-132

4-8-2015
Date



David A. McClurg, Attorney for Respondent
Petrie & Stocking S.C.
111 E. Wisconsin Ave., Ste. 1500
Milwaukee, WI 53202

4/9/15
Date



Sandra L. Nowack, Attorney
WI State Bar No. 1025643
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190
Tel. (608) 266-8098
Fax (608) 266-2264
sandra.nowack@wisconsin.gov

4/13/15
Date