

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE PROFESSIONAL COUNSELOR SECTION OF THE 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  
KATHERINE M. ELGIN :  
RESPONDENT. : **0003929**

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Division of Legal Services and Compliance Case No. 14 CPC 010

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

Katherine M. Elgin  
4468 North Oakland Ave. Apt. 26  
Shorewood, WI 53211

Professional Counselor Section of the Marriage and Family Therapy,  
Professional Counseling and Social Work Examining Board  
P.O. Box 8366  
Madison, WI 53708-8366

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 Professional Counselor Section of the Wisconsin Marriage and Family, Professional Counseling and Social Work Examining Board (Section). The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Katherine M. Elgin, (dob March 12, 1985) is licensed in the state of Wisconsin to practice professional counseling as professional counselor in training, having license number 1441-226, first granted on June 14, 2012 and current through June 14, 2016. 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. In approximately May or June 2013, Respondent began to see Patient A on an individual basis.

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

5. During the following weeks, Respondent and Patient A began communicate more frequently via text message. Initially the texts concerned Patient A's therapy. The text messages then became more personal in nature, eroding the therapist-patient boundary.

6. Respondent admits that texting was not an appropriate form of communication with Patient A.

7. Respondent realized that, due to boundary concerns, Patient A needed to be transferred to another therapist. She made the appropriate arrangement.

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

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

10. Respondent admits that she continued 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 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 Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 257.26, 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, professional counselor in training, engaged in unprofessional conduct as defined in Wis. Admin. Code § MPSW 20.02(11), 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, professional counselor in training, is subject to discipline pursuant to Wis. Stat. § 457.26(2)(h).

ORDER

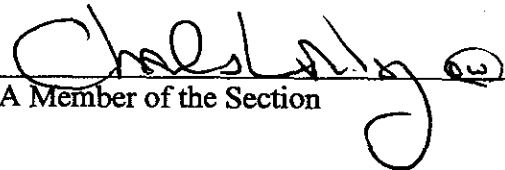
1. The attached Stipulation is accepted.
2. Respondent Katherine M. Elgin's professional counselor in training license (number 1441-226) is SUSPENDED for a period of one year.
3. Respondent Katherine M. Elgin's professional counselor in training license (number 1441-226) is LIMITED by the condition that she shall provide a copy of this Final Decision and Order to all persons supervising her practice of professional counseling.
4. Within 90 days from the date of this Order, Katherine M. Elgin, professional counselor in training, shall pay COSTS of this matter in the amount of \$300.00.
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. This Order is effective on the date of its signing.

PROFESSIONAL COUNSELOR SECTION  
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING AND SOCIAL  
WORK EXAMINING BOARD

By:

  
A Member of the Section

Date

4/15/15

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

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KATHERINE M. ELGIN,  
RESPONDENT.

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:  
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:  
:

STIPULATION

**0003929**

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Division of Legal Services and Compliance Case No. 14 CPC 010

Respondent Katherine M. Elgin 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 Katherine L. Charlton.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Board (Section). 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 Section's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Section, 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 Section, the parties agree not to contend that the Section 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 and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Section should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Section adopt this Stipulation, the Section'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 the Section adopt this Stipulation and issue the attached Final Decision and Order.



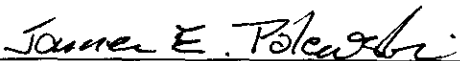
Katherine M. Elgin, Respondent  
4468 N. Oakland Ave, Apt 26  
Shorewood, WI 53211  
License no. 1441-226

2/15/15  
Date



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

3/11/15  
Date



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

January 29, 2015  
Date