

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/wscca>

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JENNIFER A. ELLIOT,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0003931

Division of Legal Services and Compliance Case No. 15 CPC 003

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

Professional Counselor Section of the Wisconsin 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 Therapy, Professional Counseling, and Social Work Examining Board (Section). The Section 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 licensed in the state of Wisconsin as a professional counselor, having license number 4026-125, first issued on March 6, 2008 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 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. § 457.26(2), 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 professional counselor.

4. By the conduct described in the Findings of Fact, Jennifer A. Elliot engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(2), by violating a law of any jurisdiction, the circumstances of which substantially relate to the practice under the credential.

5. As a result of the violations noted in the Conclusions of Law, Respondent Jennifer A. Elliot is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f).

ORDER

1. The attached Stipulation is accepted.

2. The license of Jennifer A. Elliot (license number 4026-125), to practice as a professional counselor in the State of Wisconsin is SUSPENDED for a period of fourteen (14) days commencing on June 15, 2015.

3. This suspension shall run concurrent to the suspension in case no. 15 RSA 005.

4. Respondent shall not engage in the practice of professional counseling while her license to do so is suspended.

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

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 license. The Section 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 practices as a professional counselor during the period of suspension, the Section may, without additional notice or hearing impose additional restrictions, including an additional period of suspension as the Board determines is advisable.

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

PROFESSIONAL COUNSELING SECTION OF THE WISCONSIN MARRIAGE AND
FAMILY THERAPY, PROFESSIONAL COUNSELOR, 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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JENNIFER A. ELLIOT,
RESPONDENT.

:
:
:
:
:

STIPULATION

0003931

Division of Legal Services and Compliance Case No. 15 CPC 003

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 allegation but 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.

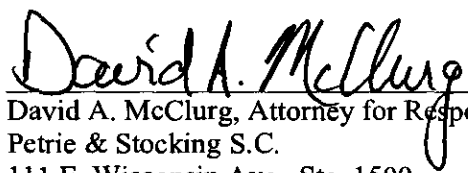
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that 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
License no. 4026-125

04-08-2015
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