

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE SOCIAL WORKER 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
:
:

0004084

Division of Legal Services and Compliance Case No. 15 SOC 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

Social Worker 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 Social Worker 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 certified in the state of Wisconsin as a social worker, having certificate number 8815-120, first granted on March 28, 2005 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 bank 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 Social Worker 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 the practice of social work.

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 certificate of Jennifer A. Elliot (certificate number 8815-120), to practice as a social worker in the state of Wisconsin is SUSPENDED for a period of twelve days, commencing June 17, 2015.

3. The suspension shall end at midnight on June 29, 2015.

4. Respondent shall not engage in the practice of social work while her certificate to do so is suspended.

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. 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 social work, whether paid or unpaid, during the period of suspension, Respondent's certificate (no. 8815-120) may, in the discretion of the Section or its designee, be SUSPENDED or subject to further discipline, without further notice or hearing, as the Section deems advisable.

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

SOCIAL WORKER SECTION OF THE WISCONSIN MARRIAGE AND FAMILY
THERAPY, PROFESSIONAL COUNSELOR, AND SOCIAL WORK EXAMINING BOARD

by:

Nick Smigaj
A Member of the Board

6/17/15
Date

STATE OF WISCONSIN
BEFORE THE SOCIAL WORKER 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.

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:
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STIPULATION

0004084

Division of Legal Services and Compliance Case No. 15 SOC 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.

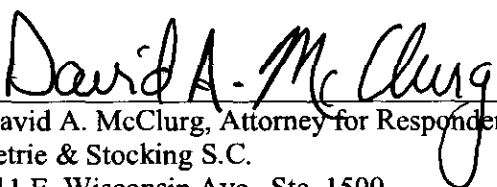
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that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

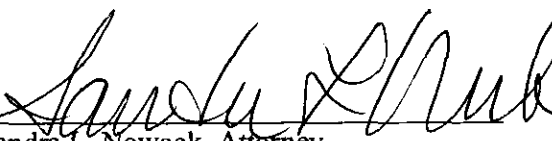
8. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.


Jennifer A. Elliot, Respondent
2400 Mound Zion Woods Ct.
Brookfield, WI 53005
Certificate no. 8815-120

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
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sandra.nowack@wisconsin.gov

4/13/15
Date