

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF THE LICENSE OF :
SUZETTE C. DIEDERICH, : FINAL DECISION AND ORDER
LICENSEE. : FOR REMEDIAL EDUCATION
:

0004324

Division of Legal Services and Compliance Case No. 14 RSA 018

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

Suzette C. Diederich
2559 Babcock Rd.
Green Bay, WI 54313

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

Division of Legal Services and Compliance
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 in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Licensee Suzette C. Diederich, (dob August 25, 1969) is certified in the state of Wisconsin to practice as a substance abuse counselor in-training, having certificate number 16534-130, first granted on March 12, 2012 and current through February 28, 2017. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2559 Babcock Road, Green Bay, Wisconsin 54313.

2. Licensee is also licensed in the state of Wisconsin to practice professional counseling, having license number 3387-125, first granted on December 19, 2003 and current through February 28, 2017.

3. At all times relevant to this proceeding, Licensee was employed as a professional counselor at a behavioral health clinic (Clinic), located in Oneida, Wisconsin.

4. The Clinic became concerned with Licensee's behavior as she had difficulty maintaining her caseload and had noticeably fallen behind in her documentation.

5. On November 27, 2013, the Clinic conducted an audit of chart access in their electronic medical record system.

6. The audit revealed that between October 15, 2012, and November 27, 2013, Licensee accessed 215 patient charts which all had patterns of consistency including diagnosis similarities and medication similarities.

7. Of the 215 patient charts accessed, 124 were not Licensee's direct patients.

8. Licensee signed out 55 patients for her own research purposes by searching patient records utilizing a unique health identifier.

9. An independent contractor's investigation into the data breach corroborated the Clinic's investigation.

10. Licensee disclosed highly identifiable information involving one (1) patient to two (2) separate individuals outside the normal scope of her practice.

11. In resolution of this matter, Licensee 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 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).

ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months of the date of this Order, Suzette C. Diederich shall at her own expense take and successfully complete eight (8) hours of education on the topic of HIPPA/patient confidentiality as follows:


- a. Each course attended in satisfaction of this Order must be pre-approved by the Department or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Department and for obtaining the required approval of the courses from the Department or its designee. Licensee must take and pass any exam offered for the course(s).

- b. Licensee shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
 - c. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Department.
3. For a period of at least one (1) year, Licensee, at her own expense, shall continue treatment with a psychotherapist (treater) preapproved by the Department or its designee.
4. For a period of at least one (1) year, Licensee shall arrange for the treater to send to the Department Monitor quarterly reports, indicating Licensee is able to practice with reasonable skill and safety of patients and the public and does not suffer from any condition which prevents Licensee from practicing in that manner.
5. Within 120 days from the date of this Order, Suzette C. Diederich shall pay COSTS of this matter in the amount of \$1,020.00.
6. Quarterly reports, request for approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Licensee 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. 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

10/29/15
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF THE LICENSE OF	:	
	:	STIPULATION
SUZETTE C. DIEDERICH,	:	
LICENSEE.	:	

Division of Legal Services and Compliance Case No. 14 RSA 018

Licensee Suzette C. Diederich 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. Licensee consents to the resolution of this investigation by Stipulation.
2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:
 - the right to a hearing on the allegations against Licensee, 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 Licensee;
 - the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
 - the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Licensee is represented by Terrence Bouressa.
4. Licensee 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. Licensee 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 Licensee or Licensee'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. Licensee 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 Licensee in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.




Suzette C. Diederich, Licensee
2589 Babcock Rd.
Green Bay, WI 54313
Certificate no. 16534-130

09/22/2015
Date



Terrance Bouressa, Attorney for Licensee
Stellpflug Law
444 Reid St., Ste. 200
De Pere, WI 54115

10/22/15
Date



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

10/27/11
Date