

## 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

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
MARCUS M. MARTIN, :  
RESPONDENT. :

**0004384**

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Division of Legal Services and Compliance Case No. 14 SOC 124

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

Marcus M. Martin  
4162 N. 46<sup>th</sup> St.  
Milwaukee, WI 53216

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  
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 Worker Examining Board (Section). The Section has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Respondent Marcus M. Martin (dob July 13, 1972) is certified in the state of Wisconsin to practice social work, having certification number 10310-120, first granted on November 10, 2009 and current through February 28, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 4162 North 46<sup>th</sup> Street, Milwaukee, Wisconsin 53216.

2. In 2013, the Department conducted an audit of social workers to determine their compliance with the continuing education requirements for the 2011-2013 biennium.
3. Respondent's name was randomly selected as a subject of the audit.
4. Respondent certified on his 2013 application for certification renewal that he completed thirty (30) hours of continuing education (CEH) of which four (4) hours were in the subject area of social work ethics and boundaries during the 2011-2013 biennium.
5. Respondent submitted a continuing education course attendance table and supporting documentation indicating he had completed 78.85 CEH.
6. Respondent did not submit a course completion certificate for the four (4) hours of ethics and boundaries he had completed.
7. Respondent could not obtain a copy of the ethics and boundaries course completion certificate.
8. On June 27, 2014, Respondent successfully completed an ethics and boundaries course for social workers.
9. On October 2, 2014, Respondent faxed to the Department the ethics and boundaries course completion certificate which met legal requirements and therefore applied retroactively to the 2011-2013 biennium.
10. As of the date of this Final Decision and Order, Respondent has complied with continuing education requirements for the 2011-2013 biennium.
11. In resolution of this matter, Respondent 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, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
2. Pursuant to Wis. Admin. Code § MPSW 8.02(1)(b), of the 30 required continuing education hours, at least 4 hours shall be in the subject area of social work ethics and boundaries.
3. By the conduct described in the Findings of Fact, Marcus M. Martin, violated Wis. Admin. Code § MPSW 8.02(1)(b), by failing to complete 4 hours of continuing education in the subject area of social work ethics and boundaries during the 2011-2013 biennium.
4. By failing to comply with the requirements of Wis. Admin. Code § MPSW 8.02(1)(b), Marcus M. Martin engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(19).

5. By the conduct described in the Findings of Fact, Marcus M. Martin, violated Wis. Stat. § 457.26(2)(a), by making a material misstatement in an application for a credential or for renewal of a credential.

6. By violating Wis. Stat. § 457.26(2)(a), Marcus M. Martin engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(19).

7. As a result of the above violation(s), Marcus M. Martin, is subject to discipline pursuant to Wis. Stat. §§ 457.26(2)(a), (f) and (h).

ORDER

1. The attached Stipulation is accepted.

2. Respondent, Marcus M. Martin, certification no. 10310-120, is hereby REPRIMANDED.

3. The four (4) hours of continuing education in the subject area of social work ethics and boundaries taken to satisfy the requirement for the 2011-2013 biennium shall not be used in the current or any future biennium.

4. Respondent is on notice that the Department may audit his compliance with continuing education requirements in the next biennium.

5. Within 90 days from the date of this Order, Respondent Marcus M. Martin, shall pay COSTS of this matter in the amount of \$102.00.

6. 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

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 certification. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of costs as ordered, Respondent's certification (10310-120) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

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

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

by:   
A Member of the Section

11-17-95  
Date

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

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :

MARCUS M. MARTIN, :  
RESPONDENT. :

STIPULATION

**0004384**

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Division of Legal Services and Compliance Case No. 14 SOC 124

Respondent Marcus M. Martin, 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.

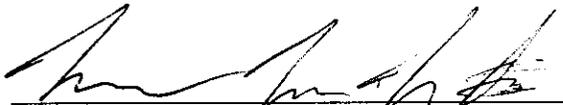
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (Section). The parties to the Stipulation consent to the entry of the attached Final Decision 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, 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.

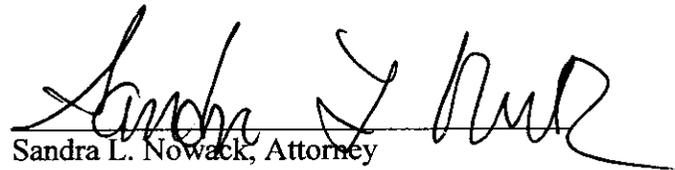
7. Respondent is informed that should the Section adopt this Stipulation, the Section's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Marcus M. Martin, Respondent  
4162 N. 46<sup>th</sup> St.  
Milwaukee, WI 53216  
Certification no. 10310-120

6/15/15  
Date



Sandra L. Nowack, Attorney  
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Division of Legal Services and Compliance  
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sandra.nowack@wisconsin.gov

6/15/15  
Date