

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

DIANNE B. EVANS,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0004638**

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Division of Legal Services and Compliance Case No. 15 RSA 035

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

Dianne B. Evans  
425 E. Merrimac Street  
Dodgeville, WI 53533

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

FINDINGS OF FACT

1. Respondent Dianne B. Evans, DOB May 27, 1956, is certified in the state of Wisconsin to practice as a clinical substance abuse counselor, having certificate number 1966-132, first issued on November 3, 1995 and current through February 28, 2017. Respondent is also certified in the state of Wisconsin to practice as an independent clinical supervisor, having certificate number 15435-135, first issued on August 19, 2013 and current through February 28, 2017; and certified to practice social work, having certificate number 839-122, first issued on December 20, 1995 and current through February 28, 2017.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 425 E. Merrimac Street, Dodgeville, Wisconsin 53533.

3. At all times relevant to this proceeding, Respondent was employed as an independent social worker and a clinical substance abuse counselor at a county human services department (the agency), located in Lafayette, Wisconsin.

4. On October 6, 2015 and October 7, 2015, an on-site visit was conducted at the agency by the Department of Human Services – Division of Quality Assurance, Bureau of Health Services (DHS). Based on the outcome of several on-site surveys conducted from 2012 through 2015, Respondent was found to be deficient in the following ways:

- a. Respondent failed to conduct assessments;
- b. falsely documented that treatment goals were achieved when no treatment plan existed;
- c. repeatedly failed to create treatment notes;
- d. failed to make referrals as needed;
- e. created treatment plans that failed to address such critical information as suicide attempts, AODA issues and prior inpatient treatment; and
- f. failed to create discharge summaries.

5. In resolution of this matter, Respondent 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 to act 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).

2. By the conduct described in the Findings of Fact, Dianne B. Evans engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(i), by engaging in false or misleading behavior associated with the practice as a substance abuse professional, including billing practices, or reporting or falsifying inappropriately altering patient records.

3. By the conduct described in the Findings of Fact, Dianne B. Evans engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(s), by failing to conduct an assessment, evaluation, or diagnosis as a basis for treatment provided.

4. By the conduct described in the Findings of Fact, Dianne B. Evans engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(t), by failing to

maintain adequate records relating to services provided to patients in the course of a professional relationship.

5. By the conduct described in the Findings of Fact, Dianne B. Evans engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(v), by engaging in a single act of gross negligence or in a pattern of negligence as a substance abuse professional.

6. As a result of the violations noted in the Conclusions of Law, Respondent Dianne B. Evans is subject to discipline pursuant to Wis. Stat. § 440.88(6).

#### ORDER

1. The attached Stipulation is accepted.
2. Respondent Dianne B. Evans is REPRIMANDED.
3. The certificates to practice as a clinical substance abuse counselor (certificate number 1966-132) and an independent clinical supervisor (certificate number 15435-135) issued to Dianne B. Evans, is LIMITED as follows:
  - a. Respondent shall comply with the terms and conditions of the educational requirement Order as set forth under Order paragraph 3(a-e) of the Final Decision and Order in Department's Case number 15 SOC 074.
4. The certificates to practice as a clinical substance abuse counselor (certificate number 1966-132) and an independent clinical supervisor (certificate number 15435-135) issued to Dianne B. Evans, is further LIMITED as follows:
  - a. Prior to engaging in practice as a clinical substance abuse counselor and/ or an independent clinical supervisor, Respondent shall obtain a professional mentor. The professional mentor must be a certified clinical substance abuse counselor and/ or independent clinical supervisor, and shall be pre-approved by the Department or its designee.
  - b. The professional mentor may NOT be Respondent's supervisor, unless approved by the Department or its designee.
  - c. The professional mentor shall be actively practicing in the field of clinical substance abuse counseling and shall not have any personal relationship, past or present, with Respondent, or any other relationship that could reasonably be expected to compromise the mentor's ability to render fair and unbiased reports to the Department.
  - d. Respondent's request for approval of a proposed mentor shall be accompanied by the mentor's curriculum vitae and a letter from the

mentor confirming that he or she has read the Final Decision and Order and agrees to serve in this capacity.

- e. For a period of at least two (2) years from the date of this Order, Respondent shall meet with her professional mentor at least once every thirty (30) days to review five (5) client files seen in the previous month. In addition to examining Respondent's general competence, the professional mentor shall specifically examine the records for: appropriate assessments, documented treatment plans, progress notes, appropriate collateral contacts, appropriate referrals and discharge summaries. All documents required for this review shall be completed within one week following client contact.
- f. Respondent shall arrange for the mentor to submit quarterly reports to the Department Monitor at the address below.
- g. The mentor shall provide to the Department Monitor thorough quarterly reports which detail the number of meetings during the preceding quarter and the quality of Respondent's work.
- h. The mentor shall immediately report any unprofessional conduct or suspected violation of this Order to the Department Monitor.
- i. After two (2) years of successful file reviews, Respondent may petition the Department or its designee for removal of the professional mentor limitation.

5. Within ninety (90) days from the date of this Order, Dianne B. Evans shall pay COSTS of this matter in the amount of \$160.00

6. 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 Respondent to the Department Monitor at the address below:

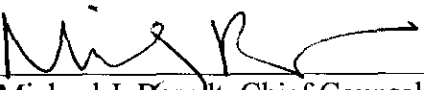
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

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 certificate. The Department 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 or fails to submit proof of successful completion of the ordered education as set forth above,

Respondent's certificates (nos. 1966-132 and 15435-135) may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs and has submitted proof of successful completion of the ordered education.

8. 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

4/12/16  
Date

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

DIANNE B. EVANS,  
RESPONDENT.

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STIPULATION

**0004638**

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Division of Legal Services and Compliance Case No. 15 RSA 035

Respondent Dianne B. Evans 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 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, 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. Respondent is further informed that should the Department adopt this Stipulation, the Department's Final Decision and Order would constitute an agency finding within the meaning of Wis. Stat. §§ 48.685 and 50.065. Should Respondent wish to work in a Wisconsin DHS-licensed facility in any role, Respondent will need to pass a Rehabilitation Review through DHS prior to commencement of such employment.

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



Dianne B. Evans, Respondent  
425 E. Merrimac Street  
Dodgeville, WI 53533  
License nos.: 1966-132, 15435-135, and 839-122

4/3/16

Date



Sandra L. Nowack, Prosecuting Attorney  
State Bar Number 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  
[sandra.nowack@wisconsin.gov](mailto:sandra.nowack@wisconsin.gov)

4/11/16

Date