

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 :
: FINAL DECISION AND ORDER
SUSAN C. BROZEK, L.C.S.W., :
RESPONDENT. :

0004653

Division of Legal Services and Compliance Case No. 15 SOC 058

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

Susan C. Brozek, L.C.S.W.
4838 W. Glen CV
Mequon, WI 53092-4853

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 Work 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 Susan C. Brozek, L.C.S.W., DOB February 10, 1970, is licensed in the state of Wisconsin to practice social work, having license number 6829-123, first issued on June 5, 2001 and current through February 28, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 4838 W. Glen CV, Mequon, Wisconsin 53092-4853.



2. At all times relevant to this proceeding, Respondent was employed as a psychotherapist in Mequon, Wisconsin.

3. During early 2014, Respondent began counseling sessions with Client A for chemical dependency, bipolar disorder, depression and sexual abuse.

4. Between April 2014 and July 15, 2015, Respondent had sexual contact with Client A in Respondent's office and at other locations.

5. In July 2014, Respondent terminated the professional relationship with Client A.

6. In July 2015, the personal contacts ended.

7. Respondent contends that while the contacts were ongoing, she suffered from a psychological condition that rendered her unable to respond appropriately to Client A's advances, which she currently contends were unwanted.

8. In resolution of this matter, Respondent denies any wrong-doing 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, 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, Susan C. Brozek, L.C.S.W., engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(13), by failing to avoid relationships that may impair the credentialed person's objectivity or create a conflict of interest.

3. By the conduct described in the Findings of Fact, Susan C. Brozek, L.C.S.W., engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(9), by engaging in the practice of social work while her ability to do so was impaired by psychological condition that impaired her ability to practice in a manner consistent with the safety of a client, patient or the public.

4. As a result of the above violations, Susan C. Brozek, L.C.S.W., is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f) and (h).

ORDER

1. The attached Stipulation is accepted.
2. The license of Susan C. Brozek, L.C.S.W., (license number 6829-123), to practice social work in the state of Wisconsin is **SUSPENDED** for at least one (1) year from June 30, 2016.
3. During the time Respondent's license to practice social work is suspended in the state of Wisconsin, Respondent shall refrain from engaging in the practice of social work under any title or credential, whether paid or unpaid.
4. After at least one (1) year from June 30, 2016, Respondent may petition the Section to terminate the suspension upon presenting proof satisfactory to the Section of the following:
 - a. Within the three months immediately preceding the petition to terminate the suspension, Respondent shall have undergone a fitness to practice examination, as follows:
 - i. Respondent shall have, at her own expense, undergone a fitness to practice evaluation with a pre-approved psychiatrist or psychologist experienced in evaluating social workers' fitness for duty:
 - ii. The provider performing the evaluation must not have treated Respondent and shall have been approved by the Section or its designee, with the opportunity for the Division of Legal Services and Compliance to make its recommendation, prior to the evaluation being performed; and
 - iii. Within fifteen (15) days of the completion of the assessment, a written report regarding the results of the assessment shall be submitted to the Department Monitor at the address below. The report shall address whether Respondent suffers from any condition(s) that may interfere with his or her ability to practice safely and, if so, shall provide any recommended limitations for safe practice.
 - iv. Prior to evaluation, Respondent shall provide a copy of this Final Decision and Order to the evaluator.
 - v. Respondent shall execute necessary documents authorizing the Division to obtain records of evaluation, and to discuss Respondent and her case with the evaluator. Respondent shall execute all releases necessary to permit disclosure of the final evaluation report to the Section or its designee. Certified copies of the final evaluation report shall be admissible in any future proceeding before the Section.

- vi. Respondent shall identify and provide the evaluator with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated.
 - vii. Respondent shall comply with any and all reasonable requests by the evaluator for purposes of scheduling and completing the evaluation, including additional testing the examiner deems helpful. Any lack of reasonable and timely cooperation, as determined by the examiner, may constitute a violation of an order of the Section.
 - viii. Respondent is responsible for timely payment of the costs of the examination. Payment shall be made directly to the evaluator.
 - ix. Respondent must provide proof sufficient to convince the Section that Respondent is able to practice with reasonable skill and safety of patients and the public, and Respondent does not suffer from any condition which prevents Respondent from practicing in that manner.
 - x. If the Section determines that Respondent is fit to practice, the Section may nonetheless limit Respondent's license in a manner to address any concerns the Section has as a result of the conduct set out in the Findings of Fact and to address any recommendations resulting from the assessment, including, but not limited to:
 - xi. Psychotherapy, at Respondent's expense, by a therapist approved by the Section or its designee, to address specific treatment goals, with periodic reports to the Section by the therapist.
 - xii. Additional professional education in any identified areas of deficiency.
 - xiii. Restrictions on the nature of practice or practice setting or requirements for supervision of practice, by a professional approved by the Section, with periodic reports to the Section by the supervisor.
- b. The suspension shall be terminated if the fitness to practice evaluation indicates to the satisfaction of the Section or its designee that Respondent does not then suffer from any illness or condition that renders her unable or unwilling to safely and reliably engage in the practice of social work.
- c. Upon reviewing the report of the fitness to practice evaluation, if the Section decides to terminate the suspension, the Section may impose whatever conditions the Section or its designee deems necessary to require Respondent to comply with recommendations of the evaluator.



5. The license to practice social work issued to Susan C. Brozek, L.C.S.W., (license number 6829-123) is LIMITED as follows:

- a. Respondent shall NOT provide treatment of sexual addiction to male clients.
- b. Respondent may petition the Section for removal of this limitation. This limitation shall be removed with proof satisfactory to the Section that this limitation is no longer necessary for Respondent to be able to practice social work with reasonable skill and safety.

6. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1008.00.

7. Request for approval of evaluator, evaluator's written report, proof of compliance with evaluator's recommendations and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be submitted 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

8. 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 fails to comply with the recommendations of the evaluation, or fails to timely submit payment of the costs as ordered, Respondent's license (no. 6829-123) may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the recommendations of the evaluation and has submitted payment of the costs.

9. 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

4/19/16
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	:	
	:	
	:	STIPULATION
SUSAN C. BROZEK, L.C.S.W.,	:	
RESPONDENT.	:	0004653

Division of Legal Services and Compliance Case No. 15 SOC 058

Respondent Susan C. Brozek, L.C.S.W., 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. Respondent is represented by Attorney Jeremy P. Levinson at Halling & Cayo SC.

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 or Respondent's attorney, 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.

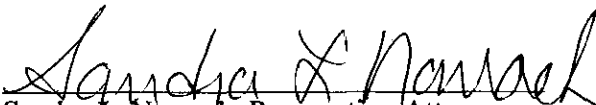
8. The Division of Legal Services and Compliance joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.


Susan C. Brozek, L.C.S.W., Respondent
4838 W Glen CV
Mequon, WI 53092-4853
License no. 6829-123

4.6.16
Date


Jeremy P. Levinson, Attorney for Respondent
Halling & Cayo SC
320 E Buffalo Street, Ste. 700
Milwaukee, WI 53202

4-6-16
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

4/7/16
Date