

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

DIANNE B. EVANS,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: 0004654

Division of Legal Services and Compliance Case No. 15 SOC 074

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

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

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

on August 19, 2013 and current through February 28, 2017. 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.

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

3. 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.

4. 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. By the conduct described in the Findings of Fact, Dianne B. Evans, engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(7), by reporting distorted, false, or misleading information in the practice of social work.

3. By the conduct described in the Findings of Fact, Dianne B. Evans, engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(14), by failing to conduct an assessment, evaluation, or diagnosis.

4. By the conduct described in the Findings of Fact, Dianne B. Evans, engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(18), by failing to

maintain adequate records relating to services provided a client 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 § MPSW 20.02(22), by gross negligence in practice in a single instance, or negligence in practice in more than one instance.

6. As a result of the above violations, Dianne B. Evans is subject to discipline pursuant to Wis. Stat. §§ 457.26(2)(h).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Dianne B. Evans is REPRIMANDED.
3. The certificate to practice social work issued to Dianne B. Evans (certificate number 839-122) is LIMITED as follows:
 - a. Within six (6) months of the date of this Order, Respondent shall successfully complete six hours of education on the subject of documentation; and six hours of education on assessment and treatment planning. The course(s) must be pre-approved by the Section's designee. Successful course completion requires that Respondent take and pass any exam offered for the course(s). Courses taken without preapproval may NOT be used to satisfy the education requirements of this Order.
 - b. Within thirty (30) days of completion of preapproved education, Respondent shall submit proof of successful completion in the form of verification from the institution or organization that provided the education.
 - 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 Section or Department.
 - d. The Department shall remove this limitation from Respondent's license when Respondent has satisfied the Section's designee that Respondent has successfully completed the preapproved education.
4. The certificate to practice social work issued to Dianne B. Evans (certificate number 839-122) is further LIMITED as follows:
 - a. Prior to engaging the practice of social work, Respondent shall obtain a professional mentor. The professional mentor must be a licensed/certified social worker and shall be pre-approved by the Section or its designee.

- b. The professional mentor may NOT be Respondent's supervisor, unless approved by the Section or its designee.
- c. The professional mentor shall be actively practicing in the field of social work 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 Section 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 \$393.00

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

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 Section 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 certificate (no. 839-122) may, in the discretion of the Section 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.

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

by: Gulintler
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

DIANNE B. EVANS,
RESPONDENT.

:
:
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:
:

STIPULATION

0004654

Division of Legal Services and Compliance Case No. 15 SOC 074

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 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.

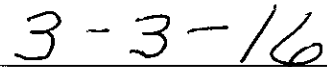
7. Respondent is informed that should the Section adopt this Stipulation, the Section's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. Respondent is further informed that should the Section adopt this Stipulation, the Section'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.

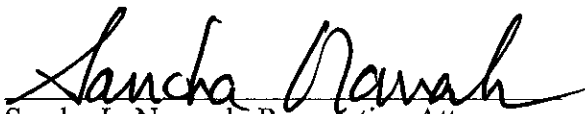
9. The Division of Legal Services and Compliance joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.



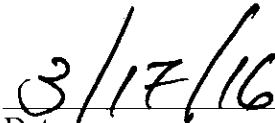
Dianne B. Evans, Respondent
425 E. Merrimac Street
Dodgeville, WI 53533
License nos.: 839-122; 1966-132 and 15435-135



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



Date