

## 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 DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 :  
 : FINAL DECISION AND ORDER  
BENJAMIN J. PEERBOLT, A.P.S.W., L.C.S.W., :  
RESPONDENT. :

0004656

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Division of Legal Services and Compliance Case No. 16 SOC 001

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

Benjamin J. Peerbolt, A.P.S.W., L.C.S.W.  
8441 N. 63<sup>rd</sup> St.  
Brown Deer, WI 53223

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 Benjamin J. Peerbolt, A.P.S.W., L.C.S.W., DOB August 30, 1985, is certified in the state of Wisconsin to practice social work, having certificate number 129322-121, first issued on February 11, 2014 and current through February 28, 2017. Respondent is also licensed in the state of Wisconsin to practice as a licensed clinical social worker, having license number (8305-123), first issued on May 26, 2015 and current through February 28, 2017.

Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 8441 North 63<sup>rd</sup> Street, Brown Deer, Wisconsin 53223.

2. On July 9, 2015, in case no. 14 SOC 312, Respondent entered into a Stipulation with the Department based on conduct involving a non-sexual dual relationship with a client that occurred while Respondent was practicing social work under his advanced practice social work certificate. When Respondent engaged in the unprofessional conduct, he possessed only an advanced practice social work certificate.

3. On November 17, 2015, the Section suspended Respondent's advanced practice social work certificate for four (4) months and ordered Respondent to complete continuing education on the topic of ethics.

4. The Section's November 17, 2015 order specifically stated "Respondent shall not engage in the practice of social work in the state of Wisconsin while his certificate to do so is suspended.

5. Between November 17, 2015 and December 3, 2015, Respondent continued to practice social work, in violation of the Section's November 17 order.

6. On December 3, 2015, Respondent stopped practicing social work in accordance with the November 17, 2015 order.

7. Respondent contends that he thought it was permissible to practice under his licensed clinical social worker credential, which was issued after the unprofessional conduct at issue in the previous case, and which was not suspended at the time. 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, Benjamin J. Peerbolt, A.P.S.W., L.C.S.W., engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02, by violating an order of the Section.

3. As a result of the above violations, Benjamin J. Peerbolt, A.P.S.W., L.C.S.W., is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f).

#### ORDER

1. The attached Stipulation is accepted.

2. The credentials authorizing Benjamin J. Peerbolt, A.P.S.W., L.C.S.W., to practice social work in the state of Wisconsin, certificate number 129322-121 and license number 8305-

123, are SUSPENDED for a period of thirty days from the date of this Order. In the event Respondent has not completed the period of suspension ordered by the Section on November 17, 2015, Order No. 4386, the 30-day suspension ordered herein shall run consecutive to the suspension in Order No. 4386.

3. Respondent shall not engage in the practice of social work in the state of Wisconsin while any credentials authorizing him to do so are suspended.

4. The 30-day suspension ordered herein shall terminate after Respondent has completed a full 30-day suspension under this Order, subsequent to the four month suspension ordered in the Section's November 17, 2015 order, Order No. 4386.

5. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$85.00.

6. 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 and 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 timely submit payment of the costs as ordered Respondent's certificate no. 129322-121 and license no. 8305-123 may, in the discretion of the Section 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

4/19/16  
Date




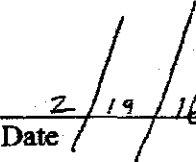
5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted 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.

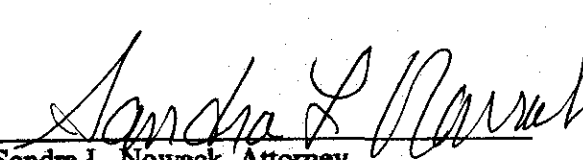
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent or Respondent's 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.

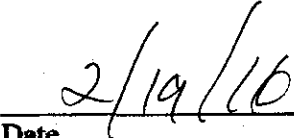
7. Respondent is informed that should the Section adopt this Stipulation, the Section's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.

  
Benjamin J. Peerbolt, A.P.S.W., L.C.S.W., Respondent  
8441 N. 63<sup>rd</sup> St.  
Brown Deer, WI 53223  
Certificate No. 129322-121  
License No. 8305-123

  
Date

  
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Date