

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE PROFESSIONAL COUNSELOR 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
KARI E. KRYSHAK, :
RESPONDENT. :

0004862

Division of Legal Services and Compliance Case No. 15 CPC 036

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

Kari E. Kryshak
5204 70th St.
Kenosha, WI 53142-3663

Professional Counselor 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 Professional Counselor 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 Kari E. Kryshak (dob September 1, 1982) is licensed in the state of Wisconsin to practice professional counseling, having license number 1072-226, first issued on April 12, 2011. This certificate expired on April 12, 2016 and has not been renewed. Respondent retains the right to renew until April 11, 2021. Respondent's most recent address on

file with the Wisconsin Department of Safety and Professional Services (Department) is 5204 70th Street, Kenosha, Wisconsin 53142-3663.

2. At all times relevant to this proceeding, Respondent was employed as a substance abuse counselor-in-training at a hospital (Hospital), located in Kenosha, Wisconsin.

3. On June 11, 2014, Hospital management learned that Respondent had shared confidential patient information with others not on Patient A's treatment team.

4. Patient A did not authorize Respondent to release confidential information.

5. On January 30, 2015, Respondent's continuing education account with the NAADAC, the Association for Addiction Professionals, was flagged for unethical behavior based on the following:

- a. Respondent completed contact information to begin a webinar, proceeded to each quiz question and once she passed the quiz, Respondent uploaded another webinar. Respondent repeated this behavior for ten (10) webinars.
- b. The webinars and quizzes should have taken approximately fifteen (15) hours to complete. Respondent completed the webinars and quizzes in approximately three (3) hours.
- c. Respondent did not watch each webinar in its entirety, which was a requirement to receive continuing education credit.

6. When contacted by the NAADAC director of training and professional development, Respondent admitted to not watching the webinars in their entirety.

7. Respondent agreed to and completed viewing of all ten (10) webinars in their entirety and wrote a paper on the NAADAC code of ethics and continuing education.

8. In July 2015, Respondent dismissed her treatment classes early on nine (9) occasions and documented in each patient's record that the entire three (3) hour session was completed.

9. As a result, patients were billed for full three (3) hour sessions.

10. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Professional Counselor 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(2), 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, Kari E. Kryshak engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(7), by reporting distorted, false, or misleading information or making false statements in practice.

3. By the conduct described in the Findings of Fact, Kari E. Kryshak engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(10), by revealing facts, data, information, records, or communication received from a client in a professional capacity.

4. As a result of the above violations, Kari E. Kryshak is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f) and (h).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Kari E. Kryshak is REPRIMANDED.
3. The license to practice professional counseling issued to Kari E. Kryshak (license number 1072-226) is LIMITED as follows:
 - a. Within thirty (30) days from the date of this Order, Respondent shall, at her own expense, attend one 2-hour session with an ethics expert.
 - b. The ethics expert shall be pre-approved by the Department. Before attending the session, Respondent shall submit to the Department Monitor a copy of the ethics expert's curriculum vitae.
 - c. Respondent shall provide a copy of this Order to the ethics expert prior to the beginning of the session.
 - d. Respondent shall discuss with the ethics expert the issues raised in this Order.
 - e. Respondent shall comply with any recommendations of the ethics expert.
 - f. Within ten (10) days of the completion of the session, Respondent shall arrange for the ethics expert to submit a report on the results of the session to the Department Monitor at the address below.
4. Respondent's certificate may be further limited to address any concerns the Department has as a result of the ethical expert's report and to address any recommendations resulting from the session, including, but not limited to:
 - a. additional professional education in any identified areas of deficiency.
5. Within ninety (90) days from the date of this Order, Kari E. Kryshak shall pay COSTS of this matter in the amount of \$20.00.

6. Any request, reports or documents 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:

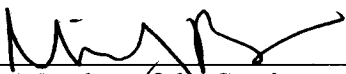
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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 license. 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 complete a two-hour session with an ethics expert, fails to comply with the ethics expert's recommendations, fails to timely submit the ethics expert's report, or fails to timely submit payment of costs as ordered, Respondent's license (no. 1072-226) may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent completed a two-hour session with an ethics expert, complied with the ethics expert's recommendations, has submitted the ethics expert's report and complied with payment of costs.

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

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

by:



A Member of the Section
Michael J. Berndt, Chief Legal Counsel

8/3/16

Date

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

:
:
:
:
:
:

STIPULATION

KARI E. KRYSHAK,
RESPONDENT.

0004862

Division of Legal Services and Compliance Case No. 15 CPC 036

Respondent Kari E. Kryshak 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.

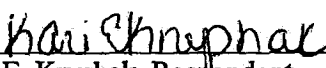
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Board (Section). The parties to the Stipulation consent to the entry of the attached Final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

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.

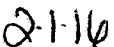
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have 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. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.



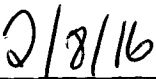
Kari E. Kryshak, Respondent
5204 70th St.
Kenosha, WI 53142-3663
Certificate no. 16576-130



Date



Cody Wagner, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190



Date