

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JOHN R. GIELOW, PH.D.,
RESPONDENT.

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FINAL DECISION AND ORDER
FOR REMEDIAL EDUCATION

0004890

Division of Legal Services and Compliance Case No. 15 PSY 022

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

John R. Gielow, Ph.D.
827 North Cass Street
Milwaukee, WI 53202

Wisconsin Psychology 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 Psychology Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent John R. Gielow, Ph.D., DOB February 18, 1957, is licensed in the state of Wisconsin to practice psychology, having license number 1369-57, first issued on June 3, 1988 and current through September 30, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 827 North Cass Street, Milwaukee, Wisconsin 53202.

2. At all times relevant to this proceeding, Respondent was employed as a psychologist at a clinic located in Milwaukee, Wisconsin.

3. Between September 9, 2011 and December 7, 2011, Respondent provided psychological services to Patient A, an adult male, on 6 occasions. Treatment focused on anxiety Patient A experienced due to his impending retirement.

4. On December 9, 2011 and December 15, 2011, at Patient A's request, Respondent provided professional crisis intervention psychological services to Patient A's college-age daughter, Ms. B. Patient A's daughter was on a school break and unable to see her usual provider. She was in acute distress and impaired due to depression, anxiety and an eating disorder.

5. On four occasions between June 10, 2015 and July 17, 2015, Respondent provided therapy to Ms. B's parents, from whom she was then estranged. Treatment addressed their grief stemming from the estrangement with Ms. B.

6. During the therapy, Respondent worked with Patient A and his wife to identify their failures and short-comings as parents. Patient A and his wife drafted an inventory of their shortcomings as parents, in which they identified things they wish they had done differently in parenting Ms. B.

7. Respondent acted as an intermediary and sent the inventories to Ms. B, along with a letter in which he acknowledged she might not be ready for reunification, said that it would be helpful to the parents to have information about where Ms. B was at with her own therapy, that it would be helpful to her parents to have feedback from her, and that she could communicate with her parents through him either directly or with her own therapist.

8. Respondent was not fully aware of Ms. B's treatment or condition when he corresponded with her. Respondent, in providing services to Patient A and his wife, specifically for the purpose of addressing issues related to their conflict with Ms. B, and then contacting Ms. B about the issues, created an unacceptable risk that the patients' interests would be in conflict.

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

CONCLUSIONS OF LAW

1. The Wisconsin Psychology Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.
2. Within six (6) months of the date of this Order, John R. Gielow, Ph.D., shall at Respondent's own expense take and successfully complete six (6) hours of remedial education on the topic of ethics and six (6) hours of education on the topic of boundaries as follows:
 - a. Education must be attended in person. Webinars, self-study, or other virtual education will not be approved to fulfill this requirement.
 - b. The following courses have been pre-approved: "Legal and Ethical Issues in Behavioral Health in Wisconsin"; and "No Simple Answers: Advanced Ethics and Boundary Issues". Respondent must take and pass any exam offered for the course(s).
 - c. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
 - d. 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 Board or Department.
3. Proof of successful course 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

4. 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 Board 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 proof of successful completion of the ordered education as set forth above, Respondent's license (no. 1369-57) may, in the discretion of the Board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has submitted proof of successful completion of the ordered education.

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

WISCONSIN PSYCHOLOGY EXAMINING BOARD

by: 
A Member of the Board

8.25.2016
Date

STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JOHN R. GIELOW, PH.D.,
RESPONDENT.

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STIPULATION

0004890

Division of Legal Services and Compliance Case No. 15 PSY 022

Respondent John R. Gielow, Ph.D., 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 Arthur Thexton.

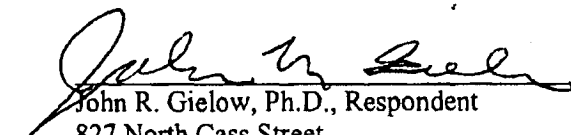
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Psychology Examining Board (Board). Respondent has elected to resolve this matter to avoid the expenses and uncertainties of litigation. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, 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 Board, the parties agree not to contend that the Board 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 Board ever assigned as an advisor in this investigation may appear before the Board 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 Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

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

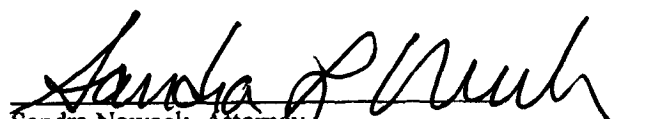
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


John R. Gielow, Ph.D., Respondent
827 North Cass Street
Milwaukee, WI 53202
License no. 1369-57

7/11/16
Date


Arthur Thexton, Attorney for Respondent
~~Gimbel, Reilly, Gierin & Brown~~
~~Two Plaza East Suite 1170~~ 6229 W. Lloyd St
~~330 East Kilbourn Avenue~~ Wauwatosa, WI 53213
~~Milwaukee, WI 53202~~

7/26/16
Date


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

7/26/16
Date