

## 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

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JONATHAN S. MAYER,  
RESPONDENT.

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FINAL DECISION AND ORDER

0004990

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Division of Legal Services and Compliance Case No. 15 CPC 027

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

Jonathan S. Mayer  
200 North Stuyvesant  
Merrill, WI 54452

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 Jonathan S. Mayer, DOB April 11, 1967, is licensed in the state of Wisconsin to practice professional counseling, having license number 3706-125, first issued on December 8, 2006 and current through February 28, 2017. Respondent's most recent address on

file with the Wisconsin Department of Safety and Professional Services (Department) is 200 North Stuyvesant, Merrill, Wisconsin 54452.

2. At all times relevant to this proceeding, Respondent was employed as a professional counselor at an outpatient mental health clinic, located in Osceola, Wisconsin.

3. Between March 23, 2015 and July 11, 2015, Respondent was authorized to provide in-home therapy to a minor child.

4. While providing in-home therapy to the minor child, Respondent sometimes took the child off premises without documenting that fact.

5. One former employer alleges that Respondent failed to complete clinical documentation, not entering documentation timely, and being habitually behind on paperwork.

6. Respondent has voluntarily completed six (6) hours of continuing education credits on the topic of record keeping and documentation. Since Respondent completed the education, there have been no allegations of substandard record keeping.

7. Respondent contends that the allegations from the former employer were the result of an acrimonious relationship with the employer.

8. Respondent maintains that the complaint in this matter was untimely.

9. In resolution of this matter, Respondent denies wrong-doing but has elected to resolve this matter to avoid the costs of litigation. 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, Jonathan S. Mayer 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.

3. As a result of the above violations, Jonathan S. Mayer is subject to discipline pursuant to Wis. Stat. § 457.26(2)(h).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Jonathan S. Mayer is REPRIMANDED.

3. The Section accepts the remedial education referred to in paragraph 6 in the Findings of Fact above, in lieu of education that would otherwise have been ordered.

4. Within ninety (90) days from the date of this Order, Jonathan S. Mayer shall pay COSTS of this matter in the amount of \$365.00.

5. 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:

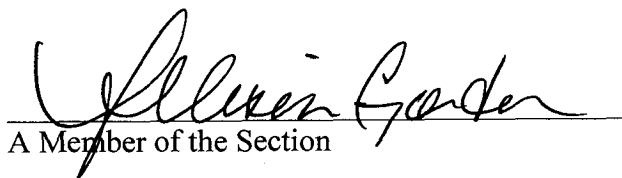
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

6. 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 timely submit payment of costs as ordered above, Respondent's license (no. 3706-125) 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.

7. 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

10-24-16  
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

JONATHAN S. MAYER,  
RESPONDENT.

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STIPULATION

0004990

Division of Legal Services and Compliance Case No. 15 CPC 027

Respondent Jonathan S. Mayer 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.

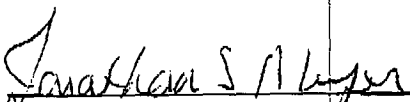
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Board (Section). The parties to the Stipulation consent to the entry of the attached Final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

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.

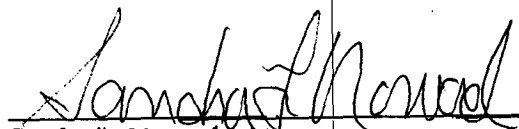
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent or Respondent's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

  
Jonathan S. Mayer, Respondent  
200 North Stuyvesant  
Merrill, WI 54452  
License no. 3706-125

10-12-2016  
Date

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

10/15/16  
Date