

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 :
 : FINAL DECISION AND ORDER
BRANDY L. HERRIOTT, PSY.D., :
RESPONDENT. :

0005046

Division of Legal Services and Compliance Case No. 14 PSY 055

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

Brandy L. Herriott, Psy.D.
2071 Crossing Court, Apt. E
Greenfield, IN 46140

Brandy L. Herriott, Psy.D.
2529 South Logan Avenue
Milwaukee, WI 53207

Brandy L. Herriott, Psy.D.
318 Tague Street
Greenfield, IN 46140

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 (the 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 Brandy L. Herriott, Psy.D., DOB June 19, 1982, is licensed in the state of Wisconsin to practice psychology, having license number 3127-57, first granted on

September 26, 2013, and expired on September 30, 2015. Respondent retains the right to renew her license by payment of a fee on or before September 30, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2071 Crossing Court, Apt. E, Greenfield, IN 46140. During the course of investigation, Respondent has also identified her address as 318 Tague Street, Greenfield, IN 46140.

2. Respondent is licensed to practice psychology in the state of Indiana, pursuant to license number 2042816A. Respondent's address on file with the Indiana State Psychology Board (Indiana Board) is 2529 South Logan Avenue, Milwaukee, WI 53207.

3. On August 21, 2015, in cause number 2014 ISPB 0003, the Indiana Board entered a final order in which it indefinitely suspended Respondent's license to practice psychology in Indiana, provided for a subsequent period of probation and imposed other conditions.

4. In its August 21, 2015 order, the Indiana Board found that Respondent had engaged in a romantic relationship with a Wisconsin inmate within two years of having provided psychological services to the inmate. Respondent's conduct consisted of romantic and graphic letters and telephone calls in which the two discussed a future together.

5. Respondent has elected to voluntarily and permanently relinquish her license to practice psychology in the state of Wisconsin in lieu of discipline that might have otherwise been imposed by the Board.

6. Respondent neither admits nor denies the allegations. However, 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 has jurisdiction to act in this matter pursuant to Wis. Stat. § 455.09(1), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Respondent Brandy Herriott, Psy. D., engaged in unprofessional conduct as defined by Wis. Admin. Code § PSY 5.01(14)(b).

3. As a result of the above violations, Brandy Herriott, Psy.D., is subject to discipline pursuant to Wis. Stat. § 455.09(1)(g).

ORDER

1. The attached Stipulation is accepted.

2. The voluntary and permanent SURRENDER of the license and all right to renew the license to practice psychology in the state of Wisconsin issued to Brandy L. Herriott, Psy.D., (license no. 3127-57) is hereby accepted.

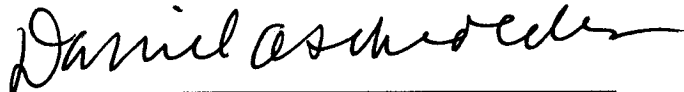
3. This surrender constitutes the permanent relinquishment of Respondent's credential to practice psychology in the state of Wisconsin.

4. This Respondent shall immediately return all indicia of Wisconsin licensure 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

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

WISCONSIN PSYCHOLOGY EXAMINING BOARD

by:  11.29.16
A Member of the Board Date

STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

BRANDY L. HERRIOTT, PSY. D.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0005046

Division of Legal Services and Compliance Case No. 14 PSY 055

Respondent Brandy L. Herriott 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 Psychology Examining Board (Board). 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.

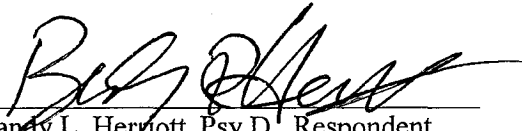
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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, 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.

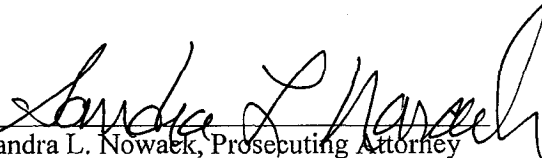
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Brandy L. Herritt, Psy.D., Respondent
2071 Crossing Court Apt. E
Greenfield, IN 46140
License Number 3127-57

10-14-16
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

10/14/16
Date