

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

KATHLEEN B. WOODY,
RESPONDENT.

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FINAL DECISION AND ORDER

0005048

Division of Legal Services and Compliance Case No. 15 PSY 014

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

Kathleen B. Woody
2525 North 89th Street
Wauwatosa, WI 53226

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 Kathleen B. Woody (dob October 13, 1967) is licensed in the state of Wisconsin to practice psychology, having license number 2041-57, first granted on August 28, 1997, and current through September 30, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2525 North 89th Street, Wauwatosa, Wisconsin 53226.

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

3. On May 29, 2012, Respondent diagnosed CL, an 18-month-old patient, with Autism. C.L. began Applied Behavioral Analysis (ABA) therapy on July 1, 2012. The bulk of the face-to-face therapy was provided by line therapists, who are unlicensed and provide services at the direction of Respondent.

4. ABA therapy began at CL's daycare but a year later, at Respondent's recommendation, C.L. was removed from daycare in order to receive a higher level of therapy at his home.

5. CL's therapy was first performed in his room but then moved primarily to the basement after CL outgrew the space.

6. CL's mother expressed concern that line therapist SJ using his personal electronic device during therapy time. Respondent reprimanded line therapist SJ.

7. On December 9, 2013, CL's mother installed a security camera.

8. Over the next few days, the security camera showed line therapists SJ and GC, on separate occasions, on their personal electronic devices, lying on the couch, doing homework and ignoring CL.

9. On December 14, 2013, the camera showed line therapist SJ physically assaulting CL.

10. On February 3, 2015, Line therapist SJ pled guilty to Felony Child Abuse – Intentionally Cause Harm.

11. 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. By the conduct described in the Findings of Fact, Kathleen B. Woody engaged in unprofessional conduct as defined by Wis. Admin. Code § Psy 5.01(4).

3. As a result of the above violations, Kathleen B. Woody is subject to discipline pursuant to Wis. Stat. § 455.09(1)(g).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Kathleen B. Woody is REPRIMANDED.

3. The license to practice psychology issued to Kathleen B. Woody (license number 2041-57) is LIMITED as follows:

Professional Mentor

a. Within ninety (90) days from the date of this Order, Respondent shall engage the services of a professional mentor who is licensed to practice psychology in the state of Wisconsin, and who has not been disciplined by the Board.

b. Within thirty (30) days of the date of this Order, Respondent shall submit to the Department Monitor at the address below a written request for approval of a proposed mentor. The request for approval shall be accompanied by the mentor's current curriculum vitae and a letter from the mentor confirming that he or she has read the Final Decision and Order and agrees to undertake the duties of a professional mentor as set out in this paragraph.

c. The professional mentor shall be actively engaged in the practice of psychology and shall not have any personal or professional relationship, past or present, with Respondent that could reasonably be expected to compromise the proposed mentor's ability to render fair and unbiased reports to the Department.

d. The Board's designee has the full and final authority to approve or reject a proposed mentor. This decision is based on an exercise of discretion and is not reviewable. The Board's designee may, for good cause, approve or direct a change in the professional mentor at any time.

e. The professional mentor shall offer feedback and direction to Respondent for the purposes of:

- i. Screening of new candidates to provide services in home with autistic clients.
- ii. Supervision regarding training of these individuals to cover the needed skill set to deal with the demands of such clients in terms of goal setting, monitoring of progress and documentation of the services.
- iii. Development of emergency plans and safety procedures when conditions arise that are beyond the scope of training and expertise of the service provider.
- iv. Provisions for on the job training with an observer for the first few sessions to make sure that the new trainee has adequate skills and can access emergency contacts when needed if conditions arise that are beyond their scope of capabilities.

- v. Whether or not guidance of the mentoring psychologist is appropriate and whether or not Respondent has complied with the guidance shall be in the sole discretion of the Board's designee. These discretionary determinations are not reviewable.

f. The professional mentor supervision shall occur for six (6) months. Respondent shall file an interim report to the Board after three (3) months and a final report after six (6) months reporting the progress in the areas enumerated in subsection e above. These reports shall include an evaluation from the mentor outlining Respondent's level of competence in the areas enumerated in subsection e. It is Respondent's responsibility to ensure these reports are submitted when due.

g. The mentor shall immediately report any unprofessional conduct or suspected violation of this Order to the Department Monitor.

h. After the timely submission of the three (3) month report, and with a written recommendation from the mentor expressly supporting the request, Respondent may petition the Board or its designee for modification or termination of any part of this limitation. Whether to modify the terms of this Limitation is in the sole discretion of the Board or its designee and is not reviewable.

i. Respondent is responsible for any and all costs associated with the services of the professional mentor.

j. After six (6) months, with a written recommendation from mentor expressly supporting Respondent's unsupervised practice, this limitation shall be removed from Respondent's license and Respondent will be granted a full, unrestricted license.

4. Within ninety (90) days from the date of this Order, Kathleen B. Woody shall pay COSTS of this matter in the amount of \$800.00.

5. Request for professional mentor approval 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

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 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 payment of costs as ordered or fails to submit a proposed professional mentor or the reports as set forth above, Respondent's license (no. 15 PSY 014) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs and has submitted a proposed mentor and the reports.

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

WISCONSIN PSYCHOLOGY EXAMINING BOARD

by: 
A Member of the Board

11-29-16
Date

STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KATHLEEN B. WOODY,
RESPONDENT.

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:

STIPULATION

0005048

Division of Legal Services and Compliance Case No. 15 PSY 014

Respondent Kathleen B. Woody 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 Wisconsin 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.

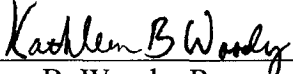
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



Kathleen B. Woody, Respondent
2525 North 89th Street
Wauwatosa, WI 53226
License no. 2041-57

10-28-16

Date



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

11/2/16

Date