

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE SOCIAL WORKER 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 :  
 : FINAL DECISION AND ORDER  
SHELLY J. GEHRKE, L.C.S.W., :  
RESPONDENT. :

**0005133**

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Division of Legal Services and Compliance Case No. 16 SOC 013

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

Shelly J. Gehrke, L.C.S.W.  
814 Metz Ln.  
Rockton, IL 61072

Social Worker 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 Social Worker 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 Shelly J. Gehrke, L.C.S.W., (dob June 14, 1969) is licensed in the state of Wisconsin to practice social work, having license number 7945-123, first granted on September 20, 2012, and current through February 28, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 814 Metz Lane, Rockton, Illinois 61072.

2. At all times relevant to this proceeding, Respondent was employed as a clinical coordinator and supervisor for a community support program (CSP), located in Beloit, Wisconsin.

3. The CSP is an outpatient treatment program which provides behavioral health treatment and rehabilitation to persons with serious and persistent mental illness. In some cases, the CSP helps manage a client's money.

4. Part of Respondent's responsibility as a supervisor was to collect payments from clients for the loans they receive from the CSP.

5. On January 28, 2016, Caseworker A reported to Dr. A that the safe where client money was kept was missing \$220 in cash and a \$100 check payable to Client R.D.

6. An internal investigation revealed the following:

- a. Respondent borrowed a total of approximately \$1,120 from six (6) subordinate employees for various reasons. Respondent paid the employees back.
- b. Respondent created "tracking sheets" for deposits and withdrawals of client money.
- c. On July 31, 2015, Client T.B. borrowed \$653 from the CSP for a security deposit and rent. Respondent and Client T.B. signed a written agreement for the money to be paid back \$25 per month beginning September 1, 2015.
- d. On January 15, 2016, Respondent removed the \$100 check payable to Client R.D. and \$220 cash from Client R.D.'s funds. Respondent took Client R.D. to the bank and then to purchase supplies before Client R.D. had surgery.
- e. On January 23, 2016, Respondent took Client T.M. to the bank to cash a \$135 check. After cashing the check, Respondent gave Client T.M. \$60 and Respondent kept \$75 to purchase boots for Client T.M.

7. On January 28, 2016, Respondent, during a staff meeting regarding the funds referred to in 6d above, gave her supervisor \$100 in quarters and \$220 in cash, which Respondent had in her desk. According to Respondent, the money had been in her desk and had never left the office.

8. Respondent also provided her supervisor with a receipt for the purchase of Client T.M.'s boots. Respondent used her credit card to purchase the boots even though she had Client T.M.'s money; she did not bring client's money with her to purchase the boots.

9. On February 2, 2016, Respondent's supervisor found a personal ledger for Client T.B. in Respondent's handwriting. The ledger indicated Client T.B. paid \$25 on September 4, 2015; \$40 on October 6, 2015; \$140 on October 8, 2015; and \$25 on November 15, 2015, for a total of \$230.

10. Respondent's supervisor contacted the accounting department and was informed that they had not received any payments from Client T.B. The \$230 remains unaccounted for.

11. On February 17, 2016, Respondent immediately resigned her employment during an interview with the CSP management.

12. On July 19, 2016, Respondent, during an interview with a Department investigator, admitted to borrowing money from her subordinates and believed that it was okay to do so as she viewed them as peers.

13. By failing to keep accurate ledgers for client funds and by failing to route money paid by a client to the accounting department, Respondent performed professional services that do not comply with an accepted standard of practice which has a significant relationship to the protection of the health, safety or welfare of a client.

14. Respondent knew or should have known that accurate ledgers should be kept and that any money paid by a client should be routed to the accounting department; and by failing to do so acted with indifference to or disregard of the accepted standard of practice.

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

#### CONCLUSIONS OF LAW

1. The Social Worker 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, 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, Shelly J. Gehrke, L.C.S.W., engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(13), by failing to avoid dual relationships or relationships that may impair the credentialed person's objectivity or create a conflict of interest.

3. By the conduct described in the Findings of Fact, Shelly J. Gehrke, L.C.S.W., engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(22), by gross negligence in practice in a single instance, or negligence in practice in more than one instance.

4. As a result of the above violations, Shelly J. Gehrke, L.C.S.W., is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f) and (h).

## ORDER

1. The attached Stipulation is accepted.
2. The license of Shelly J. Gehrke, L.C.S.W., (license number 7945-123), to practice social work in the state of Wisconsin is **SUSPENDED** for a period of ninety (90) days from the date of this Order.
3. The license to practice social work issued to Shelly J. Gehrke, L.C.S.W., (license number 7945-123) is **LIMITED** as follows:
  - a. Within ninety (90) days from the date of this Order, Respondent shall successfully complete four (4) hours of education on the topic of ethics and four (4) hours of education on the topic of boundaries offered by a provider pre-approved by the Section's monitoring liaison, including taking and passing any exam offered for the courses.
  - b. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
  - c. 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 Section or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
  - d. This limitation shall be removed from Respondent's license after satisfying the Section or its designee that Respondent has successfully completed all the ordered education.
4. The license to practice social work issued to Shelly J. Gehrke, L.C.S.W., (license number 7945-123) is further **LIMITED** as follows:
  - a. Within ninety days (90) days from 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 professional mentor confirming that he or she has read this Order and agrees to undertake the duties of a professional mentor as set out in this paragraph. If Respondent does not intend to practice social work in Wisconsin within ninety (90) days of this order, Respondent shall submit the above-referenced request within ninety (90) days of practicing social work in Wisconsin.
  - b. Unless otherwise authorized by the Section or its designee, the professional mentor shall not have any personal or professional relationship with Respondent, past or present that could reasonably be expected to compromise

the proposed mentor's ability to render fair and unbiased reports to the Department. Respondent's current supervisor is approved to serve as Respondent's mentor.

- c. The Section or its 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 Section or its designee may, upon request of Respondent and for good cause, approve or direct a change in the professional mentor at any time.
- d. While practicing as a social worker under her Wisconsin license, Respondent shall meet with the professional mentor for at least twelve (12) months from the date the Section or its designee approves the mentor. Every month, the professional mentor shall meet with Respondent and shall randomly select and review the charts of at least five (5) clients that have presented to Respondent in the preceding month. The meeting and record review shall be for the purpose of determining whether or not Respondent: maintains adequate records consistent with the standards of the profession and as required by rule; provides care meeting at least the standard of minimum competence; conducts and documents assessments as required by the standards of the profession and avoids conflicts of interest.
- e. The professional mentor shall offer feedback and direction to Respondent as necessary for the purposes of assisting Respondent in improving the quality of care provided to clients and record-keeping. Respondent shall follow the appropriate guidance of the professional mentor. Whether or not guidance of the professional mentor is appropriate and whether or not Respondent has complied with the guidance shall be in the sole discretion of the Section or its designee. These discretionary determinations are not reviewable.
- f. The professional mentor shall submit a written and thorough quarterly report identifying the number of charts reviewed in the previous quarter and identifying any concern with Respondent's practice, records and care of clients. It is Respondent's responsibility to ensure the quarterly reports are submitted when due.
- g. The professional mentor shall immediately report any unprofessional conduct or suspected violation of this Order to the Department Monitor.
- h. After the timely submission of four (4) consecutive satisfactory quarterly reports, and with a written recommendation from the professional mentor expressly supporting the request, the requirement of a professional mentor shall be terminated.
- i. Respondent is responsible for any and all costs associated with the services of the professional mentor.

5. The license to practice social work issued to Shelly J. Gehrke, L.C.S.W., (license number 7945-123) is further LIMITED as follows:

- a. For a period of one (1) year from the date of this Order, Respondent shall not work as a social worker in a supervisory capacity.
- b. This limitation may be removed from Respondent's license upon Respondent's petition after one (1) year of continuous compliance with this Order.

6. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,230.00.

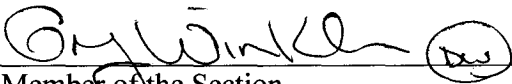
7. Any requests, documents, request for approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

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](mailto:DSPSMonitoring@wisconsin.gov)

8. 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 for a violation of any of the terms of this Order. In the event Respondent engages in the practice of social work while her license to do so is suspended, fails to timely obtain a professional mentor, fails to timely submit quarterly reports, fails to comply with the professional mentor's recommendations, engages in the practice of social work in a supervisory capacity, fails to timely submit payment of the costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 7945-123) may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent has ceased practicing social work while her license is suspended, obtained a professional mentor, submitted quarterly reports, complied with the professional mentor's recommendations, ceased engaging in the practice of social work in a supervisory capacity, complied with payment of the costs and has submitted proof of successful completion of the ordered education.

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

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

by:   
A Member of the Section

1/24/17  
Date



STATE OF WISCONSIN  
BEFORE THE SOCIAL WORKER 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

SHELLY J. GEHRKE, L.C.S.W.,  
RESPONDENT.

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STIPULATION

0005133

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Division of Legal Services and Compliance Case No. 16 SOC 013

Respondent Shelly J. Gehrke, L.C.S.W., 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  
was previously represented by Attorney Lane Fitzgerald.

4. Respondent agrees to the adoption of the attached Final Decision and Order by  
the Social Worker 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.

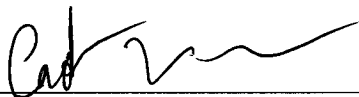
8. The Division of Legal Services and Compliance joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.



Shelly J. Gehrke, L.C.S.W., Respondent  
814 Metz Ln.  
Rockton, IL 61072  
License no. 7945-123

12/30/2016

Date



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

1/11/17

Date