

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

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
ARIELLE L. LUNDY, :
RESPONDENT. :

0005135

Division of Legal Services and Compliance Case No. 15 SOC 064

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

Arielle L. Lundy
1400 Fleetfoot Drive
Waukesha, WI 53186

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 Arielle L. Lundy, DOB September 23, 1988, is certified in the state of Wisconsin to practice social work, having certificate number 11818-120, first issued on November 28, 2014 and current through February 28, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1400 Fleetfoot Drive, Waukesha, Wisconsin 53186.

2. At all times relevant to this proceeding, Respondent was employed as a social worker at a county human services department (the agency), located in West Bend, Wisconsin.

3. In approximately July of 2015, Respondent's employer terminated her employment due to alleged repeated negligence in the practice of social work.

4. Respondent did not make client contacts as required, failed to document files accurately, lacked the ability to communicate effectively with her clients, lacked organizational skills, was unable to effectively assess client safety, and was incompetent in case planning.

5. In at least one instance, Respondent's actions allegedly caused a child to be placed with a substitute care-giver, which may have been unnecessary had Respondent performed competently.

6. There were multiple occasions in which Respondent was not where she was scheduled to be or her whereabouts were otherwise unknown to her coworkers and employer. Respondent offered no reasonable explanations for her disappearances.

7. Respondent explains that at times her supervisor specifically told her not to document occurrences. She believes she was not trained properly and was assigned a high volume caseload she was not equipped to handle. On two occasions she was not working for periods of time and was unaware of necessary information.

8. Respondent denies wrong-doing. To avoid the expense of litigation, Respondent has elected to resolve this matter by Stipulation. 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, Arielle L. Lundy, engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(14), by failing to conduct an assessment, evaluation, or diagnosis.

3. By the conduct described in the Findings of Fact, Arielle L. Lundy, 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.

4. As a result of the above violations, Arielle L. Lundy is subject to discipline pursuant to Wis. Stat. § 457.26(2)(h).

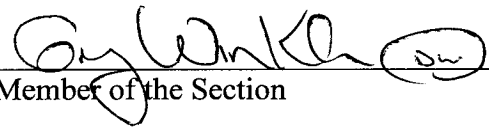
ORDER

1. The attached Stipulation is accepted.
2. The Section hereby accepts the VOLUNTARY SURRENDER of the certificate to practice social work in the state of Wisconsin issued to Respondent Arielle L. Lundy (certificate number 11818-120).
3. After a period of at least one year, Respondent may petition the Section for reinstatement of her certificate with evidence that she has satisfactorily met the requirements of paragraphs 4 and 5 below.
4. No more than one year before Respondent petitions for reinstatement of her certificate, Respondent shall have successfully completed eight hours of education on the subject of professional ethics; eight hours of education on time management and organization; and 24 hours of education on risk assessment and risk management. Successful course completion requires that Respondent take and passes any exam offered for the course(s).
 - a. Along with any petition for reinstatement of her certificate, Respondent shall submit proof of successful course completion in the form of verification from the institution or organization that provided the education.
 - b. 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.
5. Before Respondent petitions for reinstatement of her license to practice social work, Respondent shall pay COSTS of this matter in the amount of \$783.97.
6. Any petition for reinstatement of her certificate, 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
7. The decision of whether or not to reinstate Respondent's certificate to engage in the practice of social work lies solely within the discretion of the Section or its designee.
8. Respondent shall not engage in the practice of social work in the state of Wisconsin unless and until granted a current credential authorizing her to do so.

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

Date 1/24/17

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

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
ARIELLE L. LUNDY,	:	:
RESPONDENT.	:	
		0005135

Division of Legal Services and Compliance Case No. 15 SOC 064

Respondent Arielle L. Lundy 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 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.

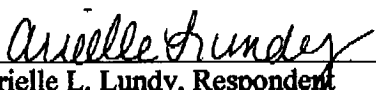
5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted 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, 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.

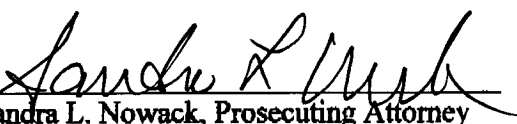
7. Respondent is informed that should the Section adopt this Stipulation, the Section's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. Respondent is further informed that should the Section adopt this Stipulation, the Section's Final Decision and Order would constitute an agency finding within the meaning of Wis. Stat. §§ 48.685 and 50.065. Should Respondent wish to work in a Wisconsin DHS-licensed facility in any role, Respondent will need to pass a Rehabilitation Review through DHS prior to commencement of such employment.

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


Arielle L. Lundy, Respondent
1400 Fleetfoot Drive
Waukesha, WI 53186
License no.: 11818-120

11/23/2016
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

11/25/16
Date