

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
AMANDA L. BONACK, S.W., :
RESPONDENT. : **0005341**

Division of Legal Services and Compliance Case No. 16 SOC 037

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

Amanda L. Bonack, S.W.
2105 O'Leary Road
Neenah, WI 54956

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 Amanda L. Bonack, S.W., DOB December 17, 1990, is certified in the state of Wisconsin to practice social work, having certificate number 11436-120, first granted on February 21, 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 2105 O'Leary Road, Neenah, Wisconsin 54956.

2. At all times relevant to this proceeding, Respondent was employed as a social worker at a county human service agency (Agency) located in Winnebago, Wisconsin.

3. The Wisconsin Statewide Automated Child Welfare Information System (eWiSACWIS) is an electronic database that contains confidential information, including but not limited to confidential records of proceedings held pursuant to Wis. Ch. 48 and Wis. Ch. 938.

4. The front page of the portal used to access eWiSACWIS, provides the following admonishment:

Access to eWiSACWIS is only granted to appropriate child welfare agency staff and other authorized users as provided under applicable law, including but not limited to Wisconsin Statute, Sections 48.981, 48.78, and 48.396. Improper access or disclosure may result in civil and criminal penalties.

5. On March 1, 2016, during a quarterly review of eWiSACWIS usage, an Agency supervisor reviewed Respondent's searches and discovered that Respondent had accessed a case that was not linked to her current case load. Respondent stated that she was previously assigned to that case and that the current worker had asked for her assistance in looking things up.

6. An agency supervisor spoke to the worker on the case and was told that she had not asked for Respondent's help.

7. Respondent subsequently admitted to being dishonest about receiving permission to access information on the case.

8. Respondent also admitted that she had posted a picture of a minor client to Snapchat, but did not believe this was unacceptable because the picture deleted within seconds due to the nature of Snapchat.

9. 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, Amanda L. Bonack, S.W., violated Wis. Stat. §§ 48.981, 48.78 and 48.396, by accessing confidential records without legal authorization to do so.

3. By violating Wis. Stat. §§ 48.981, 48.78 and 48.396, Amanda L. Bonack, S.W., engaged in unprofessional conduct as defined by Wis. Admin Code § MPSW 20.02(2), by violating a law of any jurisdiction, the circumstances of which substantially relate to the practice under the credential.

4. By the conduct described in the Findings of Fact, Amanda L. Bonack, S.W., engaged in unprofessional conduct as defined by Wis. Admin Code § MPSW 20.02(10), by revealing facts, data, information, records or communication received from a client in a professional capacity without proper authorization.

5. As a result of the above violations, Amanda L. Bonack, S.W., is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Amanda L. Bonack, S.W., is REPRIMANDED.
3. The license to practice social work issued to Amanda L. Bonack, S.W., (license number 11436-120) is LIMITED as follows:
 - a. Within one hundred eighty (180) days of the date of this Order, Respondent shall successfully complete six (6) hours of education on the topic of professional ethics and boundaries/ confidentiality law applicable to the social work field 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. Within one hundred eighty (180) days from the date of this Order, Amanda L. Bonack, S.W., shall pay COSTS of this matter in the amount of \$324.00.

5. 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

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 the costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's certificate (no. 11436-120) may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the forfeiture and costs and completion of the education.

7. 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

6/14/17
Date

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 :

AMANDA L. BONACK, S.W., :
RESPONDENT. :

STIPULATION

0005341

Division of Legal Services and Compliance Case No. 16 SOC 037

Respondent Amanda L. Bonack, 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.

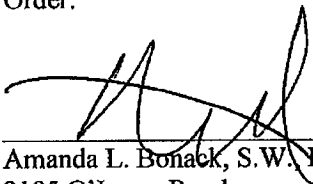
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (Section). The parties to the Stipulation consent to the entry of the attached Final Decision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



Amanda L. Bonack, S.W. Respondent
2105 O'Leary Road
Neenah, WI 54956
License no. 11436-120

3/14/17
Date



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

3/13/17
Date