

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

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

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IN THE MATTER OF DISCIPLINARY	:	ORDER TERMINATING SUSPENSION
PROCEEDINGS AGAINST	:	AND IMPOSING LIMITATIONS
CURT E. CLAUSEN, L.P.C.,	:	
RESPONDENT.	:	ORDER0005603

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TO: CURT E. CLAUSEN, LPC  
6631 SPRING HILL DRIVE #61  
MOUNT PLEASANT, WI 53406

On January 30, 2018, the Wisconsin Professional Counselor Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board ("Section") issued a Final Decision and Order ("Order") limiting Respondent's clinical professional counselor license with certain terms and conditions including, but not limited to, completion of an assessment by an approved mental health provider experienced in evaluating health care practitioners' fitness for duty. If the Section determines that Respondent is fit to practice, the Section may nonetheless limit Respondent's license in a manner to address any concerns the Section has with the conduct set out in the Order's findings of fact and to address any recommendations resulting from the evaluation.

On June 26, 2018, the Section reviewed Respondent's fitness to practice request. Based upon the information of record and the fitness for duty evaluation, dated May 28, 2018, the Section finds and makes the following:

ORDER

1. Respondent's fitness to practice request pursuant to the Final Decision and Order dated January 30, 2018, is hereby GRANTED. Respondent's fitness to practice evaluation indicates to the satisfaction of the Section's designee that Respondent does not suffer from any illness or condition that renders him unable or unwilling to safely and reliably engage in the practice of professional counseling with supervision and limitations.

2. The Section deems the following conditions and limitations necessary for Respondent to comply with the recommendations of the fitness to practice evaluator and to address the Section's concerns related to the conduct set out in the findings of fact. Respondent's professional counselor license (#4489-125) is further LIMITED as follows:

Psychiatric Treatment:

3. Within 30 days from the date of this order, Respondent shall provide proof to the Department Monitor that he is continuing psychiatric treatment, including monitoring his B12 deficiency, with a psychiatric treatment provider, whose credential is in good standing, and approved by the Section or its designee. Respondent shall immediately provide his psychiatric treatment provider with a copy of his order(s), the fitness for duty evaluation report, and a release authorizing the psychiatrist to discuss the progress of Respondent's treatment with the Section, its designee and the Department Monitor.

a. Respondent shall comply with taking medications as prescribed, participate in, cooperate with, and follow all treatment recommended by his psychiatric treatment provider.

b. Therapy shall include individual sessions at a frequency determined by the psychiatric treatment provider, but not less than once a month.

c. The psychiatric treatment provider shall submit quarterly reports as directed by the Department Monitor. It is Respondent's responsibility to ensure the reports are submitted when due. The psychiatric treatment provider shall immediately report any unprofessional conduct or suspected violation of this Order.

d. If Respondent's psychiatric treatment provider is unable or unwilling to serve as Respondent's psychiatric treatment provider, Respondent shall immediately seek approval of a successor psychiatric treatment provider approved by the Section or its designee.

Therapeutic Treatment:

4. Within 30 days from the date of this order, Respondent shall provide proof to the Department Monitor that he has begun or is continuing treatment with a psychotherapist, whose credential is in good standing, and approved by the Section or its designee. Respondent shall immediately provide the psychotherapist with a copy of his order(s), the fitness for duty evaluation report, and a release authorizing the psychotherapist to discuss the progress of Respondent's treatment with the Section, its designee, and the Department Monitor.

a. Respondent's treatment shall include, but is not limited to:

- i. cognitive behavior therapy; and
- ii. reducing Respondent's mood disorder and depression.

b. Therapy shall include individual sessions at a frequency determined by

the psychotherapist, but not less than biweekly.

c. The psychotherapist shall submit quarterly reports as directed by the Department Monitor. It is Respondent's responsibility to ensure the reports are submitted when due. The psychotherapist shall immediately report any unprofessional conduct or suspected violation of this Order.

d. If Respondent's psychotherapist is unable or unwilling to serve as Respondent's psychotherapist, Respondent shall immediately seek approval of a successor psychotherapist approved by the Section or its designee.

Practice Limitations:

5. Respondent shall practice only under the direct supervision of a credentialed professional counselor or other licensed health care professional, with an unencumbered credential, approved by the Section or its designee. "Direct supervision" means Respondent's supervisor is on the premises and immediately available to coordinate, direct, and inspect Respondent's work.

a. Respondent shall practice only in a work setting pre-approved by the Section or its designee. Requests for pre-approval must be accompanied by a current job description, and the name and contact information of Respondent's supervisor.

b. Respondent shall practice with any additional limitations imposed by Respondent's supervisor; including by not limited to, utilizing adaptive devices to compensate for any processing speed issues and/or documentation issues. Respondent's supervisor shall document progress and continual need for such adaptive devices in quarterly work reports.

c. Respondent shall provide a copy of the Final Decision and Order dated January 30, 2018, this Order, and all other subsequent orders immediately to supervisor personnel at all settings where Respondent works as a licensed professional counselor, currently or in the future while limitations are in place. Respondent shall provide the Department Monitor with written acknowledgement from each employer that a copy of this Order has been received. Such acknowledgement shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for current employment.

d. It is Respondent's responsibility to arrange for written reports from his direct supervisor to be provided to the Department Monitor on a quarterly basis, beginning 30 days after employment as a licensed professional counselor. These reports shall assess:

- i. Respondent's work performance;
  - ii. Describe the circumstances of Respondent's employment, including the nature and extent of Respondent's practice of professional counseling;
  - iii. Discuss the development and implementation of plans to deal with cognitive lapses and documentation issues;
  - iv. Describe any adaptive devices that have been implemented to compensate for Respondent's processing speed issues;
  - v. Provide an opinion as to Respondent's ability to engage in the safe practice of professional counseling with accommodations and supervision; and
  - vi. Any other information the Section requests.
- e. After the timely submission of eight (8) consecutive satisfactory work reports, and with a written recommendation from the direct supervisor expressly supporting the request, Respondent may submit a request for the termination of this limitation.

Professional Mentor:

6. Respondent shall engage the services of a credentialed professional counselor, pre-approved by the Section or its designee, who will serve as a professional mentor. Respondent's supervisor may be approved to serve in this capacity. The mentor shall not have any current or prior relationship with Respondent that could reasonably be expected to compromise the ability to render fair and unbiased reports to the Department. The mentor must be sufficiently skilled and qualified to consult with Respondent in relation to his professional counseling practice and other professional activities. Prior to commencement of the mentorship, the proposed mentor shall confirm, in writing, that he or she has read the Final Decision and Order and this Order and agrees to serve as Respondent's mentor.

a. The professional mentor shall meet with Respondent at least once monthly to review patient health care records of all patients seen by Respondent within the last month, for at least two (2) years. The mentor shall offer feedback and direction to Respondent as necessary for the purposes of improving Respondents practice and ensuring compliance with the standards of the profession. The mentor shall also monitor the care Respondent is providing his clients and if his clients are making progress in their treatment plans.

b. The professional mentor shall submit quarterly reports identifying the number of meetings that have occurred and addressing Respondent's professional performance and practice. It is Respondent's responsibility to ensure the reports are timely submitted to the Department Monitor. The mentor shall immediately report any unprofessional conduct or suspected violation of this Order.

c. Respondent is responsible for any and all cost associated with the services of the professional mentor.

d. After the timely submission of eight (8) consecutive satisfactory mentor reports, and with a written recommendation from the professional mentor expressly supporting the request, Respondent may submit a request for the termination of this limitation.

#### Required Reporting by Respondent

7. Respondent is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Respondent shall promptly notify the Department Monitor of any failures of the psychiatric treatment provider, psychotherapist, supervisor, or professional mentor to conform to the terms and conditions of this Order. Respondent shall promptly notify the Department Monitor of any violations of any of the terms and conditions of this Order by Respondent.

8. Respondent shall report to the Section any change of employment status, residence, address or telephone number within five days of the date of the change. Additionally, every three months, Respondent shall notify the Department Monitor of Respondent's compliance with the terms and conditions of the Order, and shall provide the Department Monitor with a current address and home telephone number.

#### Petitions for Modification of Limitations or Termination of Order

9. Respondent may petition the Section on an annual basis for modification of the terms of this Order, but no petition for modification shall be considered sooner than two (2) years from the date of this Order. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Respondent shall not have a right to any further hearings or proceedings on the denial.

10. Respondent may petition the Section for full, unrestricted licensure upon demonstration of continuous, successful compliance with the terms of the Order for at least two (2) years.

a. Any petition for modification or termination of this order shall include:

i. A written recommendation from Respondent's psychotherapist confirming that all treatment goals have been met, that Respondent's mental disorder no longer precludes unrestricted, independent practice, and that he is able to engage in safe practice without supervision.

ii. A written recommendation from Respondent's psychiatric treatment provider confirming that all treatment goals have been met, that Respondent's mental disorder no longer precludes unrestricted, independent practice, and that he is able to engage in safe practice without supervision.

Costs of Compliance

11. Respondent shall be responsible for all costs and expenses incurred in conjunction with the psychiatric treatment, psychotherapy, professional mentor, and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

Additional Discipline

12. In the event that Respondent violates any term of this Order, Respondent's license may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent has provided proof, which is determined by the Section or its designee to be sufficient, that Respondent is in compliance with the terms of the Order. The Section may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

Department Monitor

13. Any requests, petitions, reports and other information required by all orders shall be mailed, emailed, faxed or delivered to:

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

14. All other terms and conditions of the Order remain in full force and effect.

15. This order is effective the date of its signing.

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

by:

Tammy Scheidegger sk  
A Member of the Section

7-25-2018  
Date