

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF THE LICENSE OF :
JENNIFER J. LAUBENSTEIN, C.S.A.C., : FINAL DECISION AND ORDER
LICENSEE. : FOR REMEDIAL EDUCATION
: 0005378

Division of Legal Services and Compliance Case No. 17 RSA 010

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

Jennifer J. Laubenstein, C.S.A.C.
4472 County Road Y
Saukville, WI 53080

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

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 Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusion of Law and Order.

FINDINGS OF FACT

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1. Licensee Jennifer J. Laubenstein, C.S.A.C. (DOB October 15, 1970) is certified by the State of Wisconsin to practice substance abuse counseling, having certificate number 15911-132, first issued on March 2, 2015 and current through February 28, 2019. Licensee's most recent address on file with the Department is 4472 County Road Y, Saukville, WI 53080.
 2. At all times relevant to this proceeding, Licensee was employed as a substance abuse counselor at a facility in Fond du Lac, WI (Facility).
 3. In January and February 2017, Licensee provided counseling services to Patient A.

4. On January 13, 2017, Patient A sent Licensee a Facebook message thanking Licensee for her advice. Licensee acknowledged the message and responded stating in part "I will be here every step of the way to guide you while you make the choices that are best for you and your children."

5. On February 1, 2017, Patient A sent Licensee another Facebook message regarding an ongoing domestic situation with Patient A's spouse and children. Licensee acknowledged the message and responded with advice and encouragement.

6. The Facebook messages were viewed by another Facility patient who reported the messages to the Facility. The Facility investigated and Licensee initially denied communicating with Patient A via Facebook; however, when confronted with the messages, Licensee claimed she did not remember sending them. The facility terminated Licensee's employment.

7. Licensee represented to the Department that she has deleted her Facebook account because of the incident.

8. In resolution of this matter, Licensee consents to the entry of the following Conclusion of Law and Order.

CONCLUSION OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction in this matter pursuant to Wis. Stat. § 440.88, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months of the date of this Order, Licensee shall at her own expense take and successfully complete four (4) hours of education on the topic of ethics and confidentiality as follows:

a. Each course attended in satisfaction of this Order must be pre-approved by the Department or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Department and for obtaining the required approval of the courses from the Department or its designee. Licensee must take and pass any exam offered for the course(s).

b. Licensee shall submit proof of successful completion of the 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 Department.

3. Request for approval of courses and proof of successful course completion shall be sent by Licensee 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

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

by: Alo Rohnmeyer
Aloysius Rohnmeyer, Chief Counsel
On behalf of the Department

9-12-2018
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JENNIFER J. LAUBENSTEIN, C.S.A.C.,
LICENSEE.

:
:
: STIPULATION
:
:

000587

Division of Legal Services and Compliance Case No. 17 RSA 010

Licensee Jennifer J. Laubenstein, C.S.A.C. 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. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Licensee agrees to the adoption of the attached Final Decision and Order by the Wisconsin Department of Safety and Professional Services (Department). 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. Licensee waives all rights to any appeal of the Department's Order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, 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 Department, the parties agree not to contend that the Department 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 may appear before the Department, without the presence of Licensee, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

7. Licensee is informed that should the Department adopt this Stipulation, the Department'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 Licensee in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.



Jennifer J. Laubenstein, Licensee

4472 County Road Y
Saukville, WI 53080
Certificate no. 15911-132

09/05/2018

Date



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

09/12/2018

Date