

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

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/wscca>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

BARBARA A. BARGHAHN, S.A.C., L.P.C.-I.T.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: **ORDER 0006266**

Division of Legal Services and Compliance Case No. 17 RSA 016

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

Barbara A. Barghahn
914 Birch Street
La Crescent, MN 55947

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

Division of Legal Services and Compliance
Wisconsin 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 adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Barbara A. Barghahn, S.A.C., L.P.C.-I.T., (DOB: February 27, 1961) held a certification in the state of Wisconsin to practice substance abuse counseling, having certification number 15919-131, first issued on October 20, 2014, and current through February 28, 2021. The Respondent is licensed in the state of Wisconsin to practice professional counseling as a trainee, having license number 2800-226, first issued on November 23, 2015, and current through November 23, 2019. Respondent held a certificate to practice substance abuse counseling as a trainee, having license number 16324-130, first issued on May 24, 2011, which expired on

ORDER0009564

February 28, 2015. Respondent's most recent address on file with the Department is 914 Birch Street, La Crescent, Minnesota 55947.

2. At all times relevant to this proceeding, Respondent was employed as a professional counselor in-training with a counseling facility (the Facility), with locations in Black River Falls and Onalaska, Wisconsin.

3. On July 18, 2016, Respondent fell asleep during an in-home counseling session due to medical issues.

4. On November 30, 2016, Respondent's clinical supervisor discovered that Respondent had failed to complete assessments, treatment plans, and signed treatment plans for multiple clients that had been seen for more than three (3) sessions.

5. On December 5, 2016, and December 10, 2016, a social worker requested an update regarding progress in therapy for two (2) of Respondent's clients. Respondent did not respond. On December 20, 2016, the social worker contacted Respondent's supervisor who noted that not all progress notes were completed for those two (2) clients.

6. On February 27, 2017, Respondent's clinical supervisor discovered that Respondent had failed to complete assessments and updated treatment plans for clients.

7. On March 6, 2017, Respondent's clinical supervisor discovered that Respondent had failed to complete assessments and updated treatment plans for clients.

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

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act 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).

2. By the conduct described in the Findings of Fact, Barbara A. Barghahn, S.A.C., L.P.C.-I.T., engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(s), by failing to conduct an assessment, evaluation, or diagnosis as a basis for treatment provided.

3. By the conduct described in the Findings of Fact, Barbara A. Barghahn, S.A.C., L.P.C.-I.T., engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(t), by failing to maintain adequate records relating to services provided a patient in the course of a professional relationship.

4. As a result of the violations noted in the Conclusions of Law, Respondent Barbara A. Barghahn, S.A.C., L.P.C.-I.T., is subject to discipline pursuant to Wis. Stat. § 440.88(6).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Barbara A. Barghahn, S.A.C., L.P.C.-I.T., is REPRIMANDED.
3. The certification to practice as a substance abuse counselor issued to Barbara A. Barghahn, S.A.C., L.P.C.-I.T., (certificate number 15919-131) is LIMITED as follows:
 - a. Within ninety (90) days of the date of this Order, Respondent shall successfully complete three (3) hours of education on the topic of documentation or record keeping offered by a provider pre-approved by the Department'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 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 certificate after satisfying the Department that Respondent has successfully completed all of the ordered education.
4. The certification to practice as a substance abuse counselor issued to Barbara A. Barghahn, S.A.C., L.P.C.-I.T., (certificate number 15919-131) is further LIMITED as follows:
 - a. Respondent must comply with all the requirements of the Final Decision and Order entered in the Division of Legal Services and Compliance Case Number 17 CPC 028.
 - b. The Department shall remove this limitation from Respondent's certificate when Respondent has petitioned the Department and has satisfied the Department or its designee that Respondent has successfully complied with the requirements of the Final Decision and Order entered in the Division of Legal Services and Compliance Case Number 17 CPC 028.
5. Within ninety (90) days from the date of this Order, Barbara A. Barghahn, S.A.C., L.P.C.-I.T., shall pay COSTS of this matter in the amount of \$589.64.

6. 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

You may also submit this information online via DSPS' Monitoring Case Management System, here:

<https://app.wi.gov/DSPSMonitoring>

7. In the event that Respondent violates any term of this Order, Respondent's certificate (no. 15919-131) to practice substance abuse counseling in the state of Wisconsin may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Department 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.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: Aloysius Rohmeyer
Aloysius Rohmeyer, Chief Counsel
On Behalf of the Department

6-12-2019
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

BARBARA A. BARGHAHN, S.A.C., L.P.C.-I.T.,
RESPONDENT.

:
:
: STIPULATION

ORDER 0006266

Division of Legal Services and Compliance Case No. 17 RSA 016

Respondent Barbara A. Barghahn, S.A.C., L.P.C.-I.T., 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 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. Respondent 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

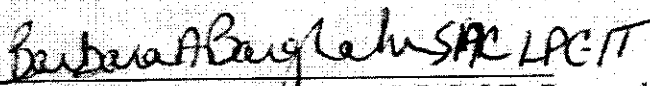
ORDER 0000000000

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.

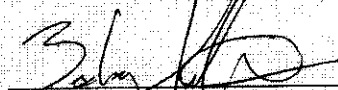
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

7. Respondent 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 Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.


Barbara A. Barghahn, S.A.C., L.P.C.-I.T., Respondent
914 Birch Street
La Crescent, MN 55947
Certificate no. 15919-131
Certificate no. 16524-130

5/7/19
Date


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

5/8/19
Date