

## 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/wscca>

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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	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
SHARON N. MEDINA, L.P.C.-I.T.,	:	
RESPONDENT.	:	<b>ORDER 0006488</b>

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Division of Legal Services and Compliance Case Nos. 17 CPC 032 and 18 CPC 015

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

Sharon N. Medina, L.P.C.-I.T.  
853 Taft Terrace  
Hartford, Wisconsin 53027

Professional Counselor 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 Professional Counselor 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 Sharon N. Medina, L.P.C.-I.T., (DOB December 23, 1959) is licensed to practice as a professional counselor in training in the state of Wisconsin, having license number 1423-226, first issued on May 21, 2012, and current through November 7, 2021. Respondent was issued a temporary license to practice professional counseling by the State of Wisconsin, license number 6004-125, on March 24, 2016. That license expired on September 24, 2017. Respondent's

most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 853 Taft Terrace, Hartford, Wisconsin 53027.

2. On May 29, 2015, the Wisconsin Department of Health Services' Office of Inspector General (Inspector General) referred Respondent to the Wisconsin Department of Justice's Medicaid Fraud Control and Elder Abuse Unit (Medicaid Fraud Unit) due to allegations of Medicaid fraud. Respondent was rendering psychotherapy services at that time under the name Medina's Way, with an address of 6815 West Capitol Drive, Suite 202, Milwaukee, Wisconsin 53216.

3. The Inspector General's analysis had revealed Medicaid billing issues with Respondent's submitted bills for service, including a lack of documentation required for Medicaid claims, incomplete documentation for Medicaid claims, billing exceeding prior authorization by Medicaid, and billing for services not covered by Medicaid.

4. Subsequent investigation by the Medicaid Fraud Unit revealed that from February 2013, to May 2015, Respondent submitted 320 claims to Medicaid for services not rendered.

5. As a result of the two (2) investigations, on July 11, 2017, Respondent was charged in Dane County Circuit Court Case Number 17CF1630 with ten (10) counts of Medical Assistance Fraud, in violation of Wis. Stat. § 946.91(2)(a).

6. On January 26, 2018, Respondent was convicted in Dane County Circuit Court Case Number 17CF1630 of Medical Assistance Fraud/Benefit Application, a Class H felony, in violation of Wis. Stat. § 946.91(2)(a). Respondent's sentence was withheld and she was placed on two (2) years of probation.

7. On April 2, 2018, Respondent reported working 20 hours per week, as a counselor, to her probation officer.

8. On May 7, 2018, Respondent's probation officer notified Respondent that her billing as a counselor needed to be reviewed and monitored as a condition of her probation. Respondent refused to comply and filed a request for administrative review of her probation officer's decision.

9. On May 11, 2018, after supervisory review of her probation officer's decision to require Respondent's billing to be reviewed and monitored, Respondent was directed to comply with her probation officer.

10. On May 14, 2018, Respondent provided her billing records to her probation officer and stated that she was supervised by Supervisor A. A subsequent investigation by Respondent's probation officer revealed that Supervisor A died on March 17, 2018.

11. On May 16, 2018, Respondent admitted to her probation officer that she knew she needed to be supervised. She further admitted to being unaware of Supervisor A's death.

12. On May 16, 2018, Respondent was placed on a probation hold for violating the terms of her probation regarding her practice as a professional counselor.

13. On August 3, 2018, Respondent's probation was revoked due to violating the terms of her probation regarding her practice as a professional counselor. She was sentenced to six (6) months incarceration in the Dane County Jail with Huber privileges.

14. Wis. Admin. Code § MPSW 12.01(2) requires that an individual licensed in the state of Wisconsin to practice as a professional counselor in training must be supervised.

15. Wis. Admin. Code § MPSW 12.02(1) and (2) outlines the qualifications and responsibilities of a supervisor conducting supervision of a professional counselor in training.

16. Supervisor A did not satisfy any of the qualifications required to be a supervisor under Wis. Admin. Code § MPSW 12.02(1) absent pre-approval from the Section, which Respondent did not obtain. As of at least March 17, 2018, Supervisor A was further unable to satisfy any of the qualifications and responsibilities listed in Wis. Admin. Code § MPSW 12.02 due to Supervisor A's death.

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

#### CONCLUSIONS OF LAW

1. The Professional Counselor 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(2), 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, Sharon N. Medina, L.P.C.-I.T., engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 12.01(2), by engaging in the practice of counseling with a training license while not being supervised.

3. By the conduct described in the Findings of Fact, Sharon N. Medina, L.P.C.-I.T., 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 of counseling.

4. By the conduct described in the Findings of Fact, Sharon N. Medina, L.P.C.-I.T., engaged in conduct in violation of Wis. Stat. § 457.13(2), by practicing professional counseling outside the scope of her training or supervision.

5. As a result of the above violations, Sharon N. Medina, L.P.C.-I.T., is subject to discipline pursuant to Wis. Stat. §§ 457.26(2)(b), (f), and (h).

#### ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER of the license to practice as a professional counselor in training in the state of Wisconsin issued to Sharon N. Medina, L.P.C.-I.T., (license no. 1423-226), is hereby accepted.

3. This surrender constitutes the permanent relinquishment of Respondent's credential to practice as a professional counselor in training in the state of Wisconsin.

4. In the event Respondent petitions the Section for reinstatement of her license to practice as a professional counselor in training in the future, the Section may enter an order denying such petition without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license shall be in the discretion of the Section.

5. In the event Respondent petitions the Section for reinstatement of her license to practice as a professional counselor in training in the state of Wisconsin or applies for another credential with the Department, Respondent shall pay the costs of this matter in the amount of \$1,651.00.

6. Immediate return of all indicia of Wisconsin licensure to the Department Monitor 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](mailto:DSPSMonitoring@wisconsin.gov)

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

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

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

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

by:

  
A Member of the Section

10/15/19  
Date

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  
PROCEEDINGS AGAINST

SHARON N. MEDINA, L.P.C.-I.T.,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION  
**ORDER 0006488**

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Division of Legal Services and Compliance Case Nos. 17 CPC 032 and 18 CPC 015

Respondent Sharon N. Medina, 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 Professional Counselor 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.

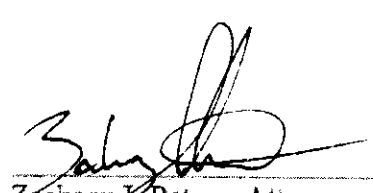
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent or Respondent's 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.

  
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Sharon N. Medina, L.P.C.-I.T., Respondent  
853 Taft Terrace  
Hartford, Wisconsin 53027  
License no. 1423-226

6/13/19  
\_\_\_\_\_  
Date

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

6/13/19  
\_\_\_\_\_  
Date