

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 THE LICENSE OF :
 : FINAL DECISION AND ORDER
NADIA A. CZARNIAK, A.P.S.W., C.S.A.C., C.S.-I.T.: FOR REMEDIAL EDUCATION
LICENSEE. :

ORDER 0006757

Division of Legal Services and Compliance Case No. 19 SOC 080

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

Nadia A. Czarniak, A.P.S.W., C.S.A.C., C.S.-I.T.
Mount Pleasant, WI 53403

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, Conclusion of Law and Order.

FINDINGS OF FACT

1. Licensee Nadia A. Czarniak, A.P.S.W., C.S.A.C., C.S.-I.T., (DOB xx/xx/1980) is credentialed in the state of Wisconsin as an advanced practice social worker, having credential number 128067-121, first granted on June 3, 2011, and current through February 28, 2021. Licensee is credentialed in the state of Wisconsin to practice as a licensed clinical social worker, having credential number 8852-123, first granted on January 5, 2018. This credential expired on

October 5, 2018 and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Licensee retains the right to renew upon payment of a fee until October 4, 2023.¹

2. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Mount Pleasant, Wisconsin.

3. At all times relevant to this proceeding, Licensee was employed as a social worker at a clinic located in Kenosha, Wisconsin, providing counseling services to individuals and families, including Family A which consisted of an adult female and her two minor children.

4. Licensee became concerned about the safety and welfare of Family A and recommended crisis intervention services, which Family A declined. Licensee subsequently contacted multiple crisis intervention service providers and disclosed Family A's identity while inquiring about the availability of services for them.

5. Family A did not consent for Licensee to contact third parties or to disclose Family A's identity in relation to crisis intervention services which Family A had declined.

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

CONCLUSION OF LAW

1. The Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board 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, Nadia A. Czarniak, A.P.S.W., C.S.A.C., C.S.-I.T., shall at her own expense take and successfully complete six (6) hours of education on the topic of HIPAA Compliance with particular relevance to her field of practice as follows:

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

¹Licensee is credentialed in the state of Wisconsin to practice as a clinical supervisor-in-training, having credential number 15854-133, first granted on January 9, 2020, and current through February 28, 2021. Licensee is credentialed in the state of Wisconsin to practice as a clinical substance abuse counselor, having credential number 16378-132, first granted on May 16, 2019, and current through February 28, 2021.

- 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 Section or Department.
- d. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Licensee. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.

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

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

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

4. 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: *Candace Coates*
A Member of the Section

4/15/2020
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 THE LICENSE OF :
 :
NADIA A. CZARNIAK, A.P.S.W., C.S.A.C., C.S.-I.T.: STIPULATION
LICENSEE. :
ORDER 0006757

Division of Legal Services and Compliance Case No. 19 SOC 080

Licensee Nadia A. Czarniak, A.P.S.W., C.S.A.C., C.S.-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. 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 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. Licensee waives all rights to any appeal of the Section's order, if adopted in the form as attached.

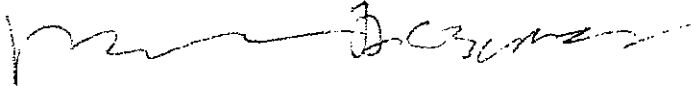
5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the

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.

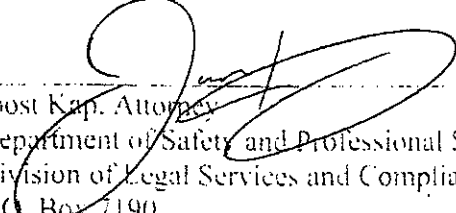
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Licensee or Licensee's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


Nadia A. Czarniak, A.P.S.W., C.S.A.C., C.S.-I.T., Licensee
Mount Pleasant, WI 53403
Credential no. 128067-121

2-8-2020
Date


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

2/10/20
Date