

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
RISA L. JANOWSKI, L.P.C., :
RESPONDENT. :

ORDER 0006904

Division of Legal Services and Compliance Case No. 18 CPC 060

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

Risa L. Janowski, L.P.C.
Green Bay, WI 54313

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 Risa L. Janowski, L.P.C., (DOB xx/xx/1976) is licensed in the state of Wisconsin to practice licensed professional counseling, having license number 3096-125, first issued on November 13, 2001, and current through February 28, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Green Bay, Wisconsin.

2. At all times relevant to this proceeding, Respondent was employed as a professional counselor in Wisconsin.

3. From June 12, 2018, through November 11, 2018, Respondent treated Patient A, a minor child.

4. On October 18, 2018, the Department received a complaint from Patient A's mother, indicating she had sole-medical decision-making authority for Patient A and that Respondent was treating Patient A without her consent.

5. According to Respondent, Patient A's father indicated that he was divorced from Patient A's mother and that the parents have joint custody of Patient A.

6. At no time did Respondent attempt to verify the custody arrangements.

7. A family court order from Colorado, dated February 20, 2018, but retroactive to December 8, 2017, awarded Patient A's mother sole medical decision-making authority.

8. On November 20, 2018, the Department requested Respondent submit copies of her continuing education (CE) credits for the biennium preceding her most recent credential renewal.

9. With her initial response on December 3, 2018, Respondent submitted proof of one (1) hour of CE completed within the relevant time frame of March 1, 2015, through February 28, 2017. The remainder of the CE credits submitted were earned in 2013 or earlier.

10. In an additional response, Respondent stated she could not find her CE certificates for the correct time frame, but she is certain she completed the requirement.

11. Respondent also submitted CE certificates for the biennium from March 1, 2017, through February 28, 2019. Those certificates verified 52 hours of CE credit, including four (4) credits in ethics.

12. 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, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 19.02(1) and (2), by failing to complete at least 30 continuing education credit hours in approved continuing education programs during each 2 year credential period, including 4 continuing education credit hours in the area of professional ethics and boundaries.

3. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(22), by committing negligence in practice in more than one instance.

4. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 457.26(2)(h).

ORDER

1. The attached Stipulation is accepted.
2. Respondent is REPRIMANDED.
3. The license to practice professional counseling issued to Respondent (license number 3096-125) 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 legal issues in counseling offered by a provider pre-approved by the Section's monitoring liaison, including taking and passing any exam offered for the courses.
 - b. The Section accepts and applies the one (1) credit hour from the 2015-2017 biennium toward the satisfaction of the 2015-2017 biennium continuing education requirements.
 - c. The Section accepts and retroactively applies the twenty-two (22) credit hours completed above the minimum credit hours required for the 2017-2019 biennium towards the requirements for the 2015-2017 credit hours.
 - d. Within 180 days of the date of this Order, Respondent shall successfully complete seven (7) hours of continuing education related to the practice of professional counseling, with four (4) hours of those credit hours being in professional ethics and boundaries, offered by a provider pre-approved by the Section's monitoring liaison, including taking and passing any exam offered for the courses, to satisfy her continuing education requirement for the 2015-2017 biennium.
 - i. The education ordered in paragraph 3.a. may not be used to satisfy this requirement.
 - ii. Respondent may submit CE certificates from the 2015-2017 biennium for review and approval to satisfy this requirement.
 - e. 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.

- f. 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, and also may not be used in future attempts to upgrade a credential in Wisconsin.
- g. This limitation shall be removed from Respondent's license after satisfying the Section or its designee that Respondent has successfully completed all the ordered education.
- h. The Section's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Respondent. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.

4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$350.00.

5. 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://dpsmonitoring.wi.gov>

6. In the event that Respondent violates any term of this Order, Respondent's license (no. 3096-125) to practice professional counseling in the state of Wisconsin may, in the discretion of the Section or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has complied 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.

7. 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: Tammy Scheidegger C.P.
A Member of the Section

7/21/2020
Date

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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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

RISA J. JANOWSKI, L.P.C.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0006904

Division of Legal Services and Compliance Case No. 18 CPC 060

Respondent Risa L. Janowski, L.P.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. 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.

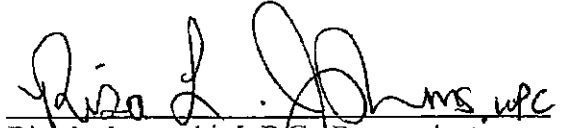
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5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. 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.

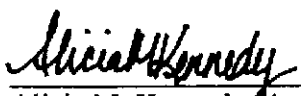
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent or Respondent's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


Risa L. Janowski, L.P.C., Respondent
Green Bay, WI 54313
License no. 3096-125

6-15-20
Date


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

June 16, 2020
Date