

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 DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
ROSEMARY O'CONNOR, L.P.C., C.S.A.C., :
RESPONDENT. : **ORDER 0006922**

Division of Legal Services and Compliance Case No. 18 RSA 052

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

Rosemary O'Connor, L.P.C., C.S.A.C.
Mequon, WI 53092

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 Rosemary O'Connor, L.P.C., C.S.A.C., (DOB XX/XX/1941) is certified in the state of Wisconsin to practice substance abuse counseling, having certification number 1156-132, first issued on April 22, 1988, and current through February 28, 2021. Respondent is certified in the state of Wisconsin as an intermediate clinical supervisor, having certification number 12109-134, first issued on June 27, 2001, and current through February 28, 2021.¹ Respondent's most recent address on file with the Department is located in Mequon, Wisconsin 53092.

¹ Respondent is also licensed in the state of Wisconsin to practice professional counseling, having license number 1317-125, first issued on May 11, 1994, and current through February 28, 2021.

2. At all times relevant to this matter, Respondent was employed as a professional counselor and substance abuse counselor in Wisconsin.

3. The Department received a complaint that alleged Respondent was seeing Patient A (a minor) without his mother's knowledge and that Patient A's mother had been unable to obtain Patient A's records.

4. Respondent denies the allegations.

5. There has been no determination by the Department that Respondent violated any applicable rules or statutes as alleged.

6. Prior to the filing of the complaint in this matter, and unrelated to the complaint, Respondent retired from practice. As such, Respondent desires to surrender her certification to practice substance abuse counseling and her certification as an intermediate clinical supervisor.

7. In resolution of this matter, Respondent consents to 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(6) and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of Respondent's certificate to practice substance abuse counseling in the state of Wisconsin (certificate number 1156-132) and Respondent's certificate to practice as an intermediate clinical supervisor in the state of Wisconsin (certificate number 12109-134) is hereby accepted.

3. In the event Respondent petitions the Department for reinstatement of her certificate to practice substance abuse counseling in the state of Wisconsin, or her certificate to practice as an intermediate clinical supervisor in the state of Wisconsin, the Department may enter an order denying such petition without further notice or hearing. Whether to grant a credential and whether to impose any limitations or restrictions on any credential shall be in the discretion of the Department.

4. In the event Respondent petitions the Department for reinstatement of her substance abuse counseling certificate or her intermediate clinical supervisor certificate, or

applies for another credential with this Department, Respondent shall pay the costs of this matter in the amount of \$324.00.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: A. Rohmeyer
Aloysius F. Rohmeyer, Acting Chief Counsel
On Behalf of the Department

8-11-2020
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ROSEMARY O'CONNOR, L.P.C., C.S.A.C.,
RESPONDENT.

STIPULATION

ORDER 0006922

Division of Legal Services and Compliance Case No. 18 RSA 052

Respondent Rosemary O'Connor, L.P.C., C.S.A.C., and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

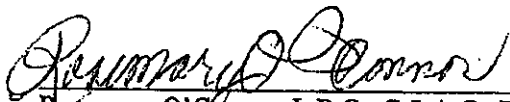
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives 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

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.



Rosemary O'Connor, L.P.C., C.S.A.C., Respondent
Mequon, WI 53092
Certificate Nos. 1156-132 and 12109-134

7/29/20
Date



Carley J. Peich Kiesling, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

08/03/2020
Date