

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 DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
HEIDI L. CONTO, L.C.S.W.,	:	
RESPONDENT.	:	ORDER 0007182

Division of Legal Services and Compliance Case No. 19 SOC 044

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

Heidi L. Conto, L.C.S.W.
Racine, WI 53402

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 adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Heidi L. Conto, L.C.S.W., (DOB xx-xx-1974) is licensed by the state of Wisconsin as a clinical social worker, having license number 7345-123, first issued on May 1, 2007, and current through February 28, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Racine, Wisconsin 53402.

2. At all times relevant to this matter, Respondent was employed as a licensed clinical social worker at a counseling center in Elm Grove, Wisconsin.

3. On December 7, 2017, Respondent had an initial visit with Patient A, a 21-year-old female suffering from anorexia nervosa binge/purge type, anxiety, and depression. Patient A signed a form declining to grant permission for release of her patient healthcare information (PHI) to any person.

4. Respondent had four individual sessions with Patient A between December 7, 2017 and January 26, 2018. Respondent's charting of these sessions indicated Patient A was struggling with recent binge eating but reported no concerns of self-harm or suicidal thoughts. Respondent charted on December 7, 2017 that Patient A's risk assessment for suicide was "minimal."

5. On January 29, 2018, after consulting her treatment team about involving Patient A's parents to ensure Patient A's safety and support, Respondent emailed Patient A's mother to inform her of Patient A's sessions and share her concern that Patient A would have no support system during her upcoming extended trip to South Korea. Respondent did not inform Patient A of her communication with her mother.

6. Respondent continued to treat Patient A and update Patient A's parents about Patient A's treatment, including concerns she had regarding Patient A's severe eating disorder behaviors and potential medical complications of her eating disorder, thus disclosing PHI without Patient A's knowledge or consent.

7. On June 5, 2018, Respondent charted for the first time that Patient A's binge episodes in South Korea were leading to suicidal thoughts and gestures.

8. On June 6, 2018, Respondent forwarded emails between herself and Patient A to Patient A's parents and asked them to "keep this between us for now."

9. On August 15, 2018, Patient A terminated services with Respondent after discovering she had been communicating with her parents about her treatment without her consent.

10. Respondent denies any unprofessional conduct, but in the interest of resolving the case, consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Social Worker 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, 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 violated Wis. Admin. Code § MPSW 20.02(10)(c), by revealing facts, data, information, records or communication received from a client in a professional capacity when it was not necessary to prevent injury to the client or another person.

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

ORDER

1. The attached Stipulation is accepted.
2. Respondent is REPRIMANDED.
3. The clinical social worker license issued to Respondent (license number 7345-123) is LIMITED as follows:
 - a. Within ninety (90) days of the date of this Order, Respondent shall at her own expense, successfully complete four (4) hours of education on the topic of protected health information and/or Health Information Portability and Accountability Act (HIPAA) rules and regulations.
 - b. Respondent shall be responsible for obtaining the courses required under this Order, for providing adequate course descriptions to the Department Monitor, and for obtaining pre-approval of the courses from the Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (Section), or its designee, prior to commencement of the courses.
 - c. 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.
 - d. Respondent 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.
 - e. 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.
 - f. This limitation shall be removed from Respondent's license after satisfying the Section or its designee that Respondent has successfully completed all of the ordered education.
4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$546.00.
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
Department of Safety and Professional Services
Division of Legal Services and Compliance
4822 Madison Yards Way
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://dspsmonitoring.wi.gov>

6. In the event Respondent violates any term of this Order, Respondent's license (No. 7345-123) 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.

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

By: Condace Coates LR
A Member of the Section

27 January 2021
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 DISCIPLINARY
PROCEEDINGS AGAINST

HEIDI L. CONTO, L.C.S.W.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0007182

Division of Legal Services and Compliance Case No. 19 SOC 044

Respondent Heidi L. Conto, L.C.S.W., 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.

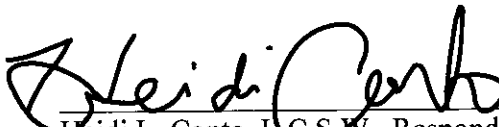
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (Section). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. 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.


Heidi L. Conto, L.C.S.W., Respondent
Racine, WI 53402
License No. 7345-123

11/12/2020
Date



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

11/12/2020
Date