

## 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/wscga>

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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
JENNIFER D. MAY, L.P.C.,	:	
RESPONDENT.	:	<b>ORDER 0007189</b>

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Division of Legal Services and Compliance Case No. 19 CPC 016

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

Jennifer D. May, L.P.C.  
Milwaukee, WI 53208

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 Jennifer D. May, L.P.C., (DOB xx/xx/1982) is licensed in the state of Wisconsin to practice professional counseling, having license number 6546-125, first issued on June 8, 2017, and current through February 28, 2021. Respondent has a professional counselor-in-training license, number 2100-226, first issued on April 3, 2014 and expired on April 3, 2018. Pursuant to Wis. Stat. § 457.13(2), this training license may only be renewed at the discretion of the Section. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Milwaukee, Wisconsin.

2. At all times relevant to this proceeding, Respondent was employed as a licensed professional counselor at behavioral health facility (Facility), located in West Allis, Wisconsin.

3. The Department received a complaint alleging Respondent inappropriately touched Patient A.

4. Patient A began treatment with the Facility on June 9, 2014 and was discharged from the program on September 19, 2014. During the duration of Patient A's treatment, Respondent was her Social Services Case Manager.

5. Patient A alleged that in March 2015, approximately six months after discharge, she and others had a sleepover at Respondent's apartment. Patient A slept in Respondent's bed where Respondent initiated potentially inappropriate physical contact which made Patient A uncomfortable.

6. Respondent stated that Patient A was part of a group of friends who held sleepovers at each other's houses. These gatherings were platonic and not sexual in nature. Respondent stated that she invited Patient A to share her bed as a more comfortable option and that the gesture was misconstrued.

7. 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 20.02(11), by engaging in sexual contact, sexual conduct, or any other behavior with a client which could reasonably be construed as seductive. For purposes of this rule, a person shall continue to be a client for 2 years after the termination of professional services.

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. The SURRENDER of the license to practice licensed professional counseling in the state of Wisconsin issued to Respondent (license no. 6546-125) is hereby accepted.

3. In the event Respondent petitions the Section for reinstatement as a professional counselor 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.

4. In the event Respondent petitions the Section for reinstatement of her license to practice professional counseling 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 \$866.00.

5. Petition for reinstatement and payment of costs (if applicable) shall be sent to the Department Monitor at the address below:

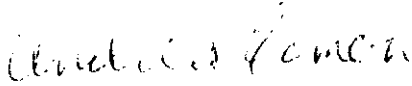
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

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

<http://dspsmonitoring.wi.gov>

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

26 January 2021  
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

JENNIFER D. MAY, L.P.C.,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

**ORDER 0007189**

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Division of Legal Services and Compliance Case No. 19 CPC 016

Respondent Jennifer D. May, 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.

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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Jennifer D. May, L.P.C., Respondent  
Milwaukee, WI 53208  
License nos. 6546-125 and 2100-226

10.6.2020  
\_\_\_\_\_  
Date

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

10/7/2020  
\_\_\_\_\_  
Date