

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

PATRICIA A. ANIAKUDO, L.P.C., C.S.A.C.,
I.C.S., L.C.S.W.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER

:
: ORDER 0007198

Division of Legal Services and Compliance Case No. 17 RSA 023

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

Patricia A. Aniakudo, L.P.C., C.S.A.C., I.C.S., L.C.S.W.,
Wauwatosa, WI 53213

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 Patricia A. Aniakudo, L.P.C., C.S.A.C., I.C.S., L.C.S.W., (DOB: XX/XX/1968) is certified in the state of Wisconsin to practice as a clinical substance abuse counselor, having certification number 15620-132, first issued on October 13, 2011 and current through February 28, 2021. Respondent is also certified as an independent clinical supervisor, having certificate number 15466-135, first issued on December 29, 2015 and current through February 28, 2021. Respondent is certified in the state of Wisconsin as a clinical supervisor in-training, having certificate number 15529-133, first issued on November 19, 2013. This certificate expired on February 28, 2015 and has not been renewed. Pursuant to Wis. Stat § 440.08(3),

Respondent retains the right to renew upon payment of a fee until February 27, 2020. Respondent is certified in the state of Wisconsin as an intermediate clinical supervisor, having certificate number 15435-134, first issued on January 23, 2015. This certificate expired on February 28, 2017 and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to renew upon payment of a fee until February 27, 2022.¹ Respondent's most recent address on file with the Department is located in Wauwatosa, Wisconsin.

2. At all times relevant to this proceeding, Respondent was ~~employed~~ as a professional counselor at a (now closed) clinic (Clinic).

INAPPEALANT
CONTRACTOR

3. On August 30, 2017, the Department received a complaint which alleged that Respondent failed to supervise those under her charge and permitted interns to provide treatment to clients without oversight.

4. On March 2, 2018, Respondent emailed the Department with her continuing education documentation and requested an extension of time to submit her response to the substantive allegations until March 16, 2018. This extension was granted.

5. On March 25, 2018, Respondent emailed the Department reporting that she had attempted to email her response, but the file was rejected due to its large size. A Department paralegal advised her to mail her response. This response was not received.

6. On July 22, 2019, July 29, 2019, and August 13, 2019, a Department investigator requested the Respondent's supervision logs for specific substance abuse counselors in-training who had been named in the complaint.

7. On August 19, 2019, Respondent replied via email that additional time would be needed to provide the requested documents as they had been archived out of state.

8. On September 5, 2019, a Department investigator sent a letter to Respondent at the address on file outlining recent response requests and offering a deadline of September 13, 2019 to provide the requested documentation and a written statement responding to the allegations in the complaint. This letter advised that a failure to respond could result in disciplinary action. A copy of this letter was also sent via email to the Respondent.

9. On September 10, 2019, an attorney supervisor in the Department called Respondent. The attorney supervisor asked when the requested supervision logs would be received and attempted to set up a phone interview with Respondent. Respondent stated she did not know where the logs were located as the clinic had since closed. Respondent advised that she would

¹ Respondent is licensed in the state of Wisconsin to practice as a licensed clinical social worker, having license number 8890-123, first issued on May 7, 2018 and current through February 28, 2021. Respondent is certified in the state of Wisconsin to practice as an advanced practice social worker, having certificate number 130158-121, first issued on July 5, 2016. This certificate expired on February 28, 2019 and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to renew upon payment of a fee until February 27, 2024. Respondent is licensed in the state of Wisconsin to practice professional counseling, having license number 3098-125, first issued on March 12, 2002 and current through February 28, 2021.

check possible storage units that day. The attorney supervisor instructed Respondent to send what documentation she currently had in her possession while the Department waited on the remainder.

10. On September 17, 2019, the Department investigator emailed Respondent requesting an update on the delivery of the requested documents as well as Respondent's availability for a phone interview.

11. On September 19, 2019, Respondent replied to the investigator's email explaining that long work hours and illness have resulted in her delayed responses. She further explained that a search of the first storage unit "did not pan out" and that she would attempt to search other storage units if her "mother is able to find the key." Respondent provided days of the week, "Tuesday, and nearly every Saturday or Sunday..." that she may be able to participate in a phone interview.

12. Later that same day, the investigator responded to Respondent's update and suggested a phone interview for Tuesday, September 24, at 11:00 a.m. for the phone interview.

13. Lacking a response, the investigator sent a follow-up email requesting confirmation of the phone interview on Tuesday, September 24, at 11:00 a.m.

14. On September 24, 2019, Respondent informed the Department investigator that she declined the scheduled phone interview and would be meeting with an attorney before re-scheduling.

15. Later in the day, the Department received a "Notice of Retainer" advising that Respondent was represented in this matter by Attorney Joseph Seifert.

16. On September 26, 2019, the Department investigator emailed Attorney Seifert advising of the need for a phone interview and requesting the interview take place within the next week.

17. On September 27, 2019, Attorney Seifert replied and inquired of the Department's availability in Milwaukee as he preferred to conduct the interview in person. He suggested availability for October 15 or 22, 2019. Additionally, he requested copies of any discovery and evidence the Department had in its possession.

18. On September 30, 2019, a Department attorney emailed Attorney Seifert to provide the documentation he requested and to coordinate Respondent's phone interview. Attorney Seifert did not respond.

19. On November 7, 2019, a Department attorney emailed Attorney Seifert requesting contact and a response to the substantive allegations in the complaint. Attorney Seifert did not respond.

20. Respondent has not sent any requested response to the allegations, supervision logs, or provided any further input on the requested phone interview.

21. Pursuant to Wisconsin Supreme Court Rule 20:4.2 governing attorney conduct, a lawyer cannot communicate directly with a represented person absent consent from that person's

lawyer or a court order. This requirement extends to those acting by proxy for the attorney. Therefore, the Department did not attempt further communication with the Respondent.

22. A review of the Complainant's credentialing documentation was conducted. There is affirmative evidence that another licensee served as Complainant's supervisor as well as documentation specifically stating that Complainant had been denied placement with Respondent. Further, Complainant's credentialing file does not contain an "Employment Verification Form for Supervised Substance Abuse Counselor Practice" (Form #2770) acknowledging Respondent as Complainant's supervisor.

23. The Department obtained a statement from an individual specifically named by the Complainant as a trainee experiencing the same lack of supervision as Complainant. This individual directly contradicted Complainant's claims and advised that she was "confused" as to why would have been named as Respondent's supervision was "sufficient and helpful."

24. There is insufficient evidence to support the substantive allegations of the complaint.

25. In resolution of this matter, Respondent consents to the 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, 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, Patricia A. Aniakudo, L.P.C., C.S.A.C., I.C.S., L.C.S.W., engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(w), by failing to respond honestly and in a timely manner to a request for information from the department. Taking longer than 30 days to respond to a department request creates a rebuttable presumption that the response is not timely.

3. As a result of the violations noted in the Conclusions of Law, Respondent Patricia A. Aniakudo, L.P.C., C.S.A.C., I.C.S., L.C.S.W., is subject to discipline pursuant to Wis. Stat. § 440.20(5)(a).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Patricia A. Aniakudo, L.P.C., C.S.A.C., I.C.S., L.C.S.W., is **REPRIMANDED**.

3. Within ninety (90) days from the date of this Order, Patricia A. Aniakudo, L.P.C., C.S.A.C., I.C.S., L.C.S.W., shall pay COSTS of this matter in the amount of \$342.00.

4. 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 the Department's Monitoring Case Management System at:

<https://dspsmonitoring.wi.gov>

6. In the event that Respondent violates any term of this Order, Respondent's certificates (nos. 15620-132 and 15466-135) to practice as a clinical substance abuse counselor and an independent clinical supervisor in the state of Wisconsin may, in the discretion of the Department or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with the terms of the Order. The Department 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.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: A. L. Rohmeyer
Aloysius Rohmeyer, Chief Legal Counsel
On Behalf of the Department

2/1/2021
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

PATRICIA A. ANIAKUDO, L.P.C., C.S.A.C.,
I.C.S., L.C.S.W.,
RESPONDENT.

STIPULATION

ORDER 0007198

Division of Legal Services and Compliance Case No. 17 RSA 023

Respondent Patricia A. Aniakudo, L.P.C., C.S.A.C., I.C.S., 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. Respondent is represented by Attorney Joseph Seifert.

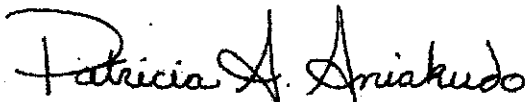
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Department of Safety and Professional Services (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent 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 or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

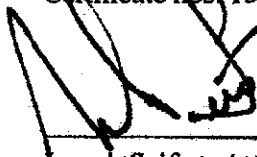
7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Patricia A. Aniakudo, L.P.C., C.S.A.C., I.C.S., L.C.S.W.,
Respondent
Wauwatosa, WI 53213
Certificate nos. 15620-132 & 15466-135

10/23/2020
Date



Joseph Seifert, Attorney for Respondent
Seifert & Associates
757 N. Broadway St., Ste 300
Milwaukee, WI 53202

10/23/2020
Date



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

10/26/2020
Date