

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

CRYSTAL L. OGNAN, S.W., S.A.C.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

ORDER 0007269

Division of Legal Services and Compliance Case No. 20 RSA 024

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

Crystal L. Ognan, S.W., S.A.C.
Chilton, WI 53014

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

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 Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Crystal L. Ognan, S.W., S.A.C., (Respondent), (Year of Birth 1990) is certified in the state of Wisconsin to practice social work, having certificate number 12805-120, first issued on June 28, 2018, and current through February 28, 2023. Respondent is also certified as a substance abuse counselor, having certificate number 16388-131, first issued on April 24, 2020, and current through February 28, 2023. Respondent also held a substance abuse counselor-in-training certificate, number 18533-130, issued on March 30, 2018, and expired on February 28, 2021.¹ Respondent's most recent address on file with the Department is in Chilton, Wisconsin 53014.

¹ Respondent retains a five-year right to renew the substance abuse counselor-in-training certificate pursuant to Wis. Stat. §§ 440.88(4) and 440.08(3).

2. At all times relevant to this proceeding, Respondent was employed as a social worker at a drug abuse correctional facility (Facility), located in Winnebago, Wisconsin.

3. In 2019 and 2020, Respondent provided treatment and counseling services to Inmate A who was housed at the Facility. Inmate A was released from the Facility on March 23, 2020.

4. Three weeks after Inmate A's release from the Facility, Respondent and Inmate A began a consensual sexual relationship which continued for several weeks. Respondent asserted that she ended the relationship with Inmate A in May 2020 because Inmate A had become aggressive and threatening.

5. Respondent was terminated from the Facility on July 14, 2020, as a result of her relationship with Inmate A.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Department 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, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(m), by engaging in inappropriate sexual contact with a patient. For the purposes of this subsection, an adult shall continue to be a patient for two (2) years after termination of the professional services.

3. As a result of the above violation, Respondent is subject to discipline pursuant to Wis. Stat. § 440.88(6).

ORDER

1. The attached Stipulation is accepted.

2. Respondent's certificates to practice as a substance abuse counselor and substance abuse counselor-in-training (certificate numbers 16388-131 and 18533-130 respectively), and Respondent's appurtenant right to renew such certificates, are **SUSPENDED** for one (1) year from the date of this Order.

3. The certificates to practice as a substance abuse counselor and substance abuse counselor-in-training (certificate numbers 16388-131 and 18533-130 respectively), and Respondent's appurtenant right to renew such certificates, are **LIMITED** as follows:

- a. Within six (6) months of the date of this Order, Respondent shall successfully complete twelve (12) hours of education on the topic of ethics

and boundaries for counselors offered by a provider pre-approved by the Department, including taking and passing any exam offered for the courses.

- b. 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.
- c. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements related to Respondent's social workers certificate and/or substance abuse counselor certificate.
- d. The Department may change the number of credit hours and/or education topics in response to a request from Respondent. The Department may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
- e. This limitation shall be removed from Respondent's certification after satisfying the Department or its designee that Respondent has successfully completed all ordered education.

4. The certificates to practice as a substance abuse counselor and substance abuse counselor-in-training (certificate numbers 16388-131 and 18533-130 respectively), and Respondent's appurtenant right to renew such certificates, are further LIMITED as follows:

- a. Within six (6) months of the date of this Order, Respondent shall, at her own expense, undergo a fitness for practice evaluation with a pre-approved psychiatrist or psychologist (Evaluator) who has not provided treatment to Respondent and is experienced in evaluating whether a health care professional is fit for practice. The fitness for practice evaluation shall evaluate Respondent's fitness for practice as a substance abuse counselor and as a social worker.
 - i. Prior to evaluation, Respondent shall provide a copy of this Final Decision and Order to the Evaluator.
 - ii. Respondent shall identify and provide the Evaluator with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated.
 - iii. Within fifteen (15) days of the completion of the evaluation, a written report regarding the results of the assessment shall be submitted to the Department Monitor at the address below. The report shall address whether Respondent suffers from any condition(s) that may interfere with her ability to practice safely

and competently and, if so, shall provide any recommended limitations for safe and competent practice.

iv. Respondent shall execute necessary documents authorizing the Department to obtain records of the evaluation, and to discuss Respondent and her case with the Evaluator. Respondent shall execute all releases necessary to permit disclosure of the final evaluation report to the Department or its designee. Certified copies of the final evaluation report shall be admissible in any future proceeding before the Department.

v. If the Evaluator determines that Respondent is not fit for practice or is fit for practice with limitations, the Department or its designee may suspend Respondent's substance abuse counselor credential(s) until Respondent provides proof sufficient to convince the Department or its designee that Respondent is able to practice with reasonable skill and safety of patients and the public and does not suffer from any condition which prevents Respondent from practicing in that manner.

vi. If the Evaluator determines that Respondent is fit for practice or is fit for practice with limitations, the Department or its designee may limit Respondent's substance abuse counselor credential(s) in a manner to address any concerns the Department or its designee has as a result of the conduct set out in the Findings of Fact and to address any recommendations resulting from the evaluation, including, but not limited to:

1. Psychotherapy, at Respondent's expense, by a therapist approved by the Department or its designee, to address specific treatment goals, with quarterly reports to the Department by the therapist.
2. Additional professional education in any identified areas of deficiency.
3. Restrictions on the nature of practice, practice setting, or requirements for supervision of practice by a professional approved by the Department, with periodic reports to the Department by the supervisor.

5. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$357.00.

6. Requests for approval of courses, proof of successful course completion, petitions, payment of costs (made payable to the Wisconsin Department of Safety and Professional Services), and any other request related to this Order 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

Respondent may also submit this information online at: <https://dspsmonitoring.wi.gov>

7. In the event that Respondent violates any term of this Order, Respondent's certificates to practice as a substance abuse counselor and substance abuse counselor-in-training (certificate numbers 16388-131 and 18533-130 respectively), and Respondent's appurtenant right to renew such certificates 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.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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

3-16-2021
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CRYSTAL L. OGNAN, S.W., S.A.C.,
RESPONDENT.

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STIPULATION

ORDER 0007269

Division of Legal Services and Compliance Case No. 20 RSA 024

Crystal L. Ognan, S.W., S.A.C., (Respondent) 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.

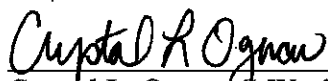
5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the

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.

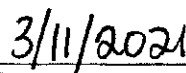
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have 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.



Crystal L. Ognan, S.W., S.A.C., Respondent
Chilton, WI 53014
Certificate Nos. 16388-131 and 18533-130



Date



Gretchen Mrozinski, Prosecuting Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190



Date