

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

MICHAEL C. BRYANT, A.P.S.W.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

ORDER 0007405

Division of Legal Services and Compliance Case No. 19 SOC 054

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

Michael C. Bryant, A.P.S.W.
Wrenshall, MN 55797

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

FINDINGS OF FACT

1. Respondent Michael C. Bryant, A.P.S.W., (DOB: XX/XX/1972) is certified in the state of Wisconsin to practice advanced practice social work, having certificate number 129065-121, first issued on May 31, 2013 and current through February 28, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Wrenshall, Minnesota 55797.

2. At all times relevant to this proceeding, Respondent was employed as a licensed independent clinical social worker in Minnesota.

3. On August 15, 2019, the Department received notification from the State of Minnesota that Respondent had been charged in St. Louis County, Minnesota with two counts of Felony 3rd Degree Criminal Sexual Conduct with Psychotherapist During Session and Outside Session. These charges were based on allegations that Respondent engaged in sexual conduct with a client.

4. Respondent was convicted in Minnesota's 6th Judicial District in St. Louis County, case number 69DU-CR-19-2469, of one count of 3rd Degree Criminal Sexual Conduct with Psychotherapist – Outside Session, a felony, in violation of Minn. Stat. § 609.3441(h)(ii).

5. On July 13, 2020, Respondent was sentenced for this conviction. Terms of the sentence include, in part:

- a. Confinement in the St. Louis County Jail for 365 days with no credit for time served.
- b. Imprisonment in the Minnesota Correctional Facility at St. Cloud for 57 months (stayed 7 years).
- c. Seven years of probation with a discharge date of July 13, 2027.
- d. Required registration as a Predatory Offender.

6. On August 5, 2019, the Minnesota Board of Social Work approved a stipulation requiring Respondent cease the practice of social work in Minnesota.

7. In resolution of this matter, Respondent 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. Per Wis. Stat. § 111.335(1m)(b)2, a violation of Minn. Stat. § 609.3441(h)(ii) is an exempt offense as it equates to Wis. Stat. § 940.22(2).

3. By the conduct described in the Findings of Fact, Respondent is subject to termination of licensing, per Wis. Stat. § 111.335(3)(a)1.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § MPSW 20.02(2), by violating a law of any jurisdiction, the circumstances of which substantially relate to the practice under the credential.

5. By the conduct described in the Findings of Fact, Respondent violated 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.

6. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § MPSW 20.02(23), by having a license, registration, or certificate permitting the practice of marriage and family therapy, professional counseling, or social work, or authorizing the use of the title "marriage and family therapist," "professional counselor," "social worker," or similar terms revoked, suspended, limited, or subjected to any other discipline, by any other jurisdiction.

7. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 457.26(2)(b) and (f).

ORDER

1. The attached Stipulation is accepted.

2. The license of Respondent (license no. 129065-121) to practice as an advanced practice social worker, and the appurtenant right to renew, in the state of Wisconsin is REVOKED.

3. Respondent may not petition for reinstatement of his advanced practice social worker pursuant to Wis. Stat. § 441.07(2), earlier than one (1) year from the date of revocation. Whether to grant or deny such petition shall be wholly in the discretion of the Section or its designee.

4. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$711.00.

5. Respondent shall immediately return all indicia of Wisconsin licensure 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) 266-2112; Fax (608) 266-2264

6. Payment of costs shall be made to the address above.

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: Al Rohmeyer
~~A Member of the Section~~
DSPS Chief Legal Counsel,
Delegatee

6-2-2021
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

MICHAEL C. BRYANT, A.P.S.W.,
RESPONDENT.

STIPULATION

ORDER 0007405

Division of Legal Services and Compliance Case No. 19 SOC 054

Respondent Michael C. Bryant, A.P.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.

Michael C. Bryant license expired
Michael C. Bryant, A.P.S.W., Respondent
Wrenshall, MN 55797
Certificate no. 129065-121

4-5-2021
Date



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

04/05/2021
Date