

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

KELLY A. SOCHA, C.S.A.C.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0007406

Division of Legal Services and Compliance Case No. 20 RSA 001

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

Kelly A. Socha, C.S.A.C.
Little Chute, WI 54140

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

FINDINGS OF FACT

1. Kelly A. Socha, C.S.A.C. (Respondent) (Year of Birth 1981) is certified in the state of Wisconsin as a clinical substance abuse counselor, having certificate number 16391-132, first issued on August 24, 2019, and current through February 28, 2023. Respondent was also certified as a substance abuse counselor in training, having certificate number 17628-130 issued on November 3, 2015 and expired on February 28, 2021; and, as a substance abuse counselor, having certificate number 16315-131 issued on May 9, 2019 and expired on February 28, 2021.¹

¹ The substance abuse counselor in training certificate is not subject to renewal as Respondent is allowed only two renewals of such certificate which occurred in 2017 and 2019. See Wis. Stat. § 440.88((4)). Respondent maintains a five-year right to renew the substance abuse counselor certificate pursuant to Wis. Stat. § 440.08(3).

2. Respondent's most recent address on file with the Department is in Little Chute, Wisconsin 54140.

3. The Department's Division of Legal Services and Compliance (DLSC) received a complaint that Respondent engaged in an inappropriate relationship with a patient (Patient A) at the drug and alcohol treatment facility (Facility) where she was employed as a clinical substance abuse counselor. DLSC opened case number 20 RSA 001 to investigate those allegations.

4. On September 9, 2019, Patient A left a recovery program at the Facility. As a part of that program, Patient A participated in group counseling sessions facilitated by Respondent.

5. On December 26, 2019, Respondent disclosed in a phone call to the Facility CEO that she was in a sexual relationship with Patient A. Respondent later gave a written statement to the Facility stating the relationship began in mid to late September 2019.

6. On December 27, 2019, Patient A provided a written statement to his Probation Officer confirming that he was in a sexual relationship with Respondent which began after he left the Facility.

7. On December 30, 2019, the Facility terminated Respondent based on Respondent's failure to avoid a dual relationship with a client.

8. 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 conduct, exposure, gratification, or other sexual behavior with or in the presence of a patient.

3. As a result of the violations noted in the Conclusions of Law, Respondent is subject to discipline pursuant to Wis. Stat. § 440.88(6).

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of the certificate to practice as a clinical substance abuse counselor in the state of Wisconsin issued to Respondent (certificate no. 16391-

132), and her right to renew her substance abuse counseling certificate (certificate no. 16315-131) are accepted.

3. In the event Respondent petitions the Department for reinstatement of her certificate to practice as a clinical substance abuse counselor, or reinstatement of her certificate to practice as a substance abuse counselor, in the state of Wisconsin, the Department may enter an order denying such petition without further notice or hearing. Whether to grant a certification and whether to impose any limitations or restrictions on any certification shall be in the discretion of the Department.

2. Should Respondent seek any credential under Wis. Stat. chs. 440 through 480, Respondent, shall first pay costs of this matter in the amount of \$725.00, before her application for a credential will be considered by the applicable board or Department.

3. If applicable, payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at:

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
DSPSMonitoring@wisconsin.gov

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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

6-2-2021
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KELLY A. SOCHA, C.S.A.C.,
RESPONDENT.

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STIPULATION
ORDER 0007406

Division of Legal Services and Compliance Case No. 20 RSA 001

Respondent Kelly A. Socha, C.S.A.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 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.

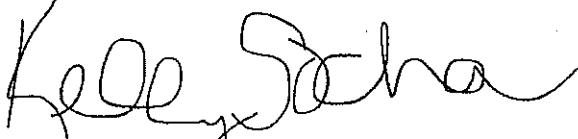
5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the

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 the Department adopt this Stipulation and issue the attached Final Decision and Order.



Kelly A. Socha, C.S.A.C., Respondent
Little Chute, WI 54140
Certificate No. 16391-132

4.27.21

Date



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

4/28/21

Date