

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TAM 'MEKA M. BERRY, L.P.C.-I.T.
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0007481

Division of Legal Services and Compliance Case No. 19 CPC 026

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

Tam 'Meka M. Berry, L.P.C.-I.T.
Milwaukee, WI 53213

Wisconsin Professional Counselor Section of the 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 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. Tam 'Meka M. Berry, L.P.C.-I.T. (Respondent), (Year of Birth 1973) is licensed in the state of Wisconsin to practice as a professional counselor in training, having license number 8-226, first issued on January 31, 2008 and current through October 9, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Milwaukee, Wisconsin 53213.

2. At all times relevant to this proceeding, Respondent was employed as a professional counselor in training at a counseling facility in Milwaukee, Wisconsin (Facility).

3. On September 28, 2018, Respondent began weekly counseling for two (2) minor brothers, a 6-year-old (Patient A) and 7-year-old (Patient B). The Release of Information (ROI) Respondent had the parent sign for Patient A and Patient B was incomplete insofar as it did not authorize any individuals or entities to exchange information and/or records for Patient A or Patient B with Respondent. Furthermore, the ROI for Patient A expired on the date it was signed and the date of birth for Patient B was incorrect rendering the releases invalid.

4. In February 2019, Respondent also began counseling the parent of Patient A and Patient B (Patient C). Respondent documented her treatment sessions with Patient C in the records for Patient A and Patient B. Respondent did not maintain separate records for Patient C.

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

CONCLUSIONS OF LAW

1. The Section has jurisdiction to act in this 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(18) by failing to maintain adequate records relating to services provided to a client in the course of a professional relationship.

3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f) and (h).

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. The license to practice professional counseling in training issued to Respondent (license number 8-226) is LIMITED as follows:

- a. Within twelve (12) months of the date of this Order, Respondent shall successfully complete four (4) hours of education on the topics of record keeping and informed consent offered in-person or online by a provider pre-approved by the Section's monitoring liaison, including taking and passing any exam offered for the courses.
 - i. 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.

- ii. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Section or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
 - iii. This limitation shall be removed from Respondent's license after satisfying the Section or its designee that Respondent has successfully completed all the ordered education.
- b. While practicing as a professional counselor in training, Respondent shall undergo one (1) hour of clinical, in-person supervision each week, in addition to any other supervision requirements contained in Wis. Admin. Code § MPSW 11.015(1).
- i. The clinical supervisor (Supervisor) must be preapproved by the Section or its designee.
 - ii. The Supervisor shall prepare a written summary of their observations of Respondent after each in-person supervision and provide the written summary to the Section or its designee. The summary shall include the date and time of the clinical, in-person supervision. Should any written summary contain information that Respondent is performing in a less than satisfactory manner, the Section may impose additional limitations on Respondent in its discretion.
 - iii. Respondent is responsible for any costs associated with the required clinical, in-person supervision.

4. Within one-hundred twenty (120) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,320.00.

5. Any requests petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

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

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

6. In the event Respondent violates any term of this Order, Respondent's license (no. 8-226) or Respondent's right to renew her license, may, in the discretion of the Section or its designee be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Section 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 or action.

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

WISCONSIN PROFESSIONAL COUNSELOR SECTION OF THE MARRIAGE AND
FAMILY THERAPY, PROFESSIONAL COUNSELING AND SOCIAL WORK EXAMINING
BOARD

By: Andria Zemon 07/21/2021
A Member of the Section Date

STATE OF WISCONSIN
BEFORE THE PROFESSIONAL COUNSELOR SECTION OF THE MARRIAGE AND
FAMILY THERAPY, PROFESSIONAL COUNSELING AND SOCIAL WORK EXAMINING
BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TAM 'MEKA M. BERRY, L.P.C.-I.T.,
RESPONDENT.

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STIPULATION

ORDER 0007481

Division of Legal Services and Compliance Case No. 19 CPC 026

Tam 'Meka M. Berry, L.P.C.-I.T. (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. Respondent is represented by Attorney Vincent Scipior.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Professional Counselor Section of the 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

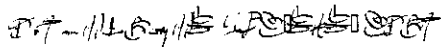
or consent of the parties. Respondent waives all rights to any appeal of the Section's order, if adopted in the form as attached.

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.

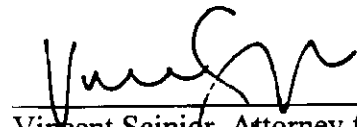
8. The Division of Legal Services and Compliance joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.



Tam Meka M. Berry, L.P.C.-I.T., Respondent
Milwaukee, WI 53213
License No. 8-226

6/18/2021

Date



Vincent Scipio, Attorney for Respondent
Coyne, Schultz, Becker & Bauer, S.C.
150 East Gilman Street, Suite 1000
Madison, WI 53703

June 17, 2021

Date



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

6/18/2021

Date