

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

MELONY D. WALSH, L.P.C.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0007483

Division of Legal Services and Compliance Case No. 21 CPC 004

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

Melony D. Walsh, L.P.C.
Shannon, IL 61078

Professional Counselor 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 Professional Counselor 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 Melony D. Walsh, L.P.C. (Year of Birth 1975) is licensed in the state of Wisconsin to practice professional counseling, having license number 7305-125, first issued on March 22, 2019 and current through February 28, 2023. Respondent also has a professional counselor-in-training license (license number 3588-226), which was issued on July 12, 2017 and is current through July 12, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Shannon, Illinois 61078.

2. At all times relevant to this proceeding, Respondent was employed as a professional counselor-in-training and then a professional counselor at a mental health care facility in Beloit, Wisconsin (Facility).

3. In April 2018, Respondent completed an intake assessment for Client A, a female who came to see Respondent for marriage counseling. In May 2018, Respondent completed an intake assessment for Client A's husband, Client B, who agreed to attend couples therapy with Respondent.

4. Shortly after initiating couples therapy, Client A and Client B ended the joint sessions with Respondent and each began seeing Respondent individually. Respondent continued to provide individual therapy to both clients until she formally discharged Client B from treatment on August 20, 2019 and referred Client A to a different therapist on September 17, 2019.

5. In 2020, Respondent engaged in a romantic and sexual relationship with Client B. The duration of the relationship is disputed but it occurred less than two years after Respondent had terminated her professional relationship with Client B.

6. Respondent informed the Facility about the relationship and in December 2020 her employment at the Facility ended with a "mutually agreed upon termination."

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

CONCLUSIONS OF LAW

1. The Professional Counselor 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(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(11), by engaging in sexual contact, sexual conduct, or any other behavior with a client which could reasonably be construed as seductive. For purposes of this rule, a person shall continue to be a client for 2 years after the termination of professional services.

3. As a result of the above violation, Melony D. Walsh, L.P.C., is subject to discipline pursuant to Wis. Stat. § 457.26(2).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Melony D. Walsh, L.P.C., is REPRIMANDED.

3. The license to practice professional counseling issued to Melony D. Walsh, L.P.C. (license number 7305-125) is LIMITED as follows:

- a. Within 90 days of the date of this Order, Respondent shall successfully complete four hours of education on the topic of professional boundaries offered in-person or online in a synchronous delivery format by a provider preapproved by the Section's monitoring liaison, including taking and passing any exam offered for the course(s).
 - 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. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Respondent. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
 - d. 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.
 - e. This limitation shall be removed from Respondent's license and Respondent will be granted a full, unrestricted license after satisfying the Section or its designee that Respondent has successfully completed all the ordered education.
4. Within 90 days from the date of this Order, Melony D. Walsh, L.P.C., shall pay COSTS of this matter in the amount of \$278.00.
5. Request for approval of courses, proof of successful course completion and 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

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

6. In the event that Respondent violates any term of this Order, Respondent's license (no. 7305-125) to practice professional counseling in the state of Wisconsin 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 and action.

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

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

By: Andrew Simon
A Member of the Section

07/21/2021
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

MELONY D. WALSH, L.P.C.,
RESPONDENT.

STIPULATION

ORDER 0007483

Division of Legal Services and Compliance Case No. 21 CPC 004

Melony D. Walsh, L.P.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.

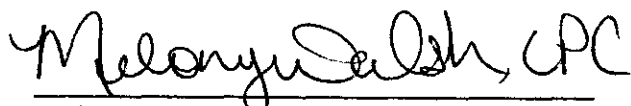
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Professional Counselor Section of The Marriage and Family Therapy, Professional Counseling and Social Work Examining Board (Section). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board'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, 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.

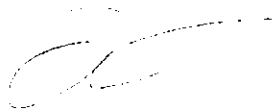
8. The Division of Legal Services and Compliance joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.



Melony D. Walsh, L.P.C., Respondent
Shannon, IL 61078
Credential Nos. 3588-226 and 7305-125

4-20-21

Date



Joost Kap, Prosecuting Attorney
Department of Safety and Professional Service
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

4/21/2021

Date