

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LYDIA J. HAKER, L.P.C., L.P.C.-I.T., S.A.C.-I.T.,  
RESPONDENT.

FINAL DECISION AND ORDER

**ORDER 0007564**

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Division of Legal Services and Compliance Case No. 19 RSA 012

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

Lydia J. Haker, L.P.C., L.P.C.-I.T., S.A.C.-I.T.,  
De Pere, WI 54115

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. Respondent Lydia J. Haker, L.P.C., L.P.C.-I.T., S.A.C.-I.T., (DOB: XX/XX.1989) is certified in the state of Wisconsin to practice substance abuse counseling in-training, having certificate number 18435-130, first issued on December 12, 2017. This certificate expired on February 28, 2021 and has not been renewed.<sup>1</sup> Pursuant to Wis. Stat. § 440.88(4), Respondent

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<sup>1</sup> Respondent is licensed in the state of Wisconsin to practice professional counseling, having license number 7079-125, first issued on August 30, 2018 and current through February 28, 2023. Respondent is also licensed in the state of Wisconsin to practice as a licensed professional counselor in-training, having license number 3537-226, first issued on May 31, 2017 and current through May 31, 2021.

retains the right to renew her certificate for one (1) more two (2) year period. Respondent's most recent address on file with the Department is located in De Pere, Wisconsin 54115.

2. At all times relevant to this proceeding, Respondent was employed as a substance abuse counselor in-training at a facility, located in Sheboygan, Wisconsin (Facility).

3. Respondent counseled Patient A in individual and group settings from early 2018 through July 2018.

4. The Department received a complaint stating an intimate relationship ensued between Respondent and Patient A.

5. Respondent admitted to inappropriate physical contact with Patient A but stated the contact not consensual as she and her family was being threatened by Patient A who had a history of drug and violent crimes.

6. Respondent's session notes with Patient A did not document any of the threatening or assaultive behavior alleged by Respondent.

7. Respondent did not report the alleged threatening or assaultive behavior to supervisors or law enforcement.

8. On July 25, 2018, Respondent noted in Patient A's final session note that his prognosis was "excellent" and the anticipated need for continued care was "unlikely."

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

#### CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services 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)(n), by failing to avoid dual relationships or relationships that may impair the substance abuse professional's objectivity or create a conflict of interest.

3. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(t) by failing to maintain adequate records relating to services provided a patient in the course of a professional relationship.

4. As a result of the violations noted in the Conclusions of Law, Respondent is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f).

### ORDER

1. The attached Stipulation is accepted.
2. The certificate to practice substance abuse counseling issued to Respondent (certificate no. 18435-130) is **SUSPENDED** for 30 days from the date of this Order.
3. The certificate to practice substance abuse counseling issued to Respondent (certificate 18435-130) is **LIMITED** as follows:
  - a. Respondent must comply with all the requirements of the Final Decision and Order entered in the Division of Legal Services and Compliance Case Number 19 CPC 023.
  - b. The Department shall remove this limitation from Respondent's license when Respondent has petitioned the Department and has satisfied the Department or its designee that Respondent has successfully complied with all the requirements of the Final Decision and Order entered in the Division of Legal Services and Compliance Case Number 19 CPC 023.
4. Within 120 days from the date of this Order, Respondent shall pay **COSTS** of this matter in the amount of \$443.00.
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) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

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

5. In the event that Respondent violates any term of this Order, Respondent's certificate (no. 18435-130) to practice substance abuse counseling in the state of Wisconsin 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.

7. 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

8/25/21  
Date

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LYDIA J. HAKER, L.P.C., L.P.C.-I.T., S.A.C.-I.T.,  
RESPONDENT.

:  
:  
: STIPULATION

**ORDER 0007564**

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Division of Legal Services and Compliance Case No. 19 RSA 012

Respondent Lydia J. Haker, L.P.C., L.P.C.-I.T., S.A.C.-I.T., 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.

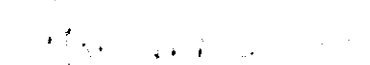
7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.




Lydia J. Haker, L.P.C., L.P.C.-I.T., S.A.C.-I.T., Respondent  
DePere, WI 54115  
Certificate no. 18435-130

4-26-2021  
Date

  
Stacie Rosenzweig, Attorney for Respondent  
Halling & Cayo SC  
320 E. Buffalo St., Ste 700  
Milwaukee, WI 53202

04/28/2021  
Date

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

04/29/2021  
Date