

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF APPLICATION FOR
RENEWAL OF AN
ADVANCED PRACTICE SOCIAL WORKER
CREDENTIAL

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ORDER GRANTING
LIMITED LICENSE

LAURA E. RUCKS,
APPLICANT.

ORDER 0007610

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

Laura E. Rucks
Deerfield, WI 53531

Social Worker Section
4822 Madison Yards Way
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the resolution of this renewal application. The Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (Section) adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Laura E. Rucks (Applicant) resides in Wisconsin.
2. On or about March 1, 2021, Applicant filed an application to renew her Advanced Practice Social Worker credential (#130583-121).
3. Information received in the application process reflects that Applicant has the following:
 - A. On or about March 11, 2021 – Operating While Intoxicated (OWI) 1st, an ordinance violation.

- i. The police report states Applicant was reported by witnesses who saw her hit a stop sign and end up in a ditch on the car's side. Police observed the odor of intoxicants as Applicant spoke, her words were slurred, and her eyes were glossy. Fire and rescue assisted in extracting Applicant from her vehicle. Applicant told police she was going through a hard time because her mother was dying. Applicant admitted to drinking "a fair amount." Applicant performed poorly on the Standardized Field Sobriety Test (SFST) and blew a Preliminary Breath Test (PBT) of .167. Applicant told the judge she went out to meet her husband for drinks. After each drink, started to forget her troubles, lost count of how much she consumed, and knows she should not have been driving.
 - ii. Applicant paid a fine, her driver's license was revoked for six (6) months, she has an Ignition Interlock Device (IID) for twelve (12) months, and she completed an Alcohol and Other Drug Abuse (AODA) assessment.
- B. Applicant admits that she turned to alcohol as an unhealthy coping mechanism for personal stressors she was facing in her personal life. Applicant states she knows better than to drink and drive, she knows the risks associated with such behavior, and she "struggle[s] to understand why [she] did something so reckless and irresponsible."
- C. Applicant's health care progression notes dated February 15, 2021, state Applicant presents with adjustment disorder with mixed anxiety and depressed mood. The notes indicate Applicant's restlessness due to her increased workload and frustrations at work with requirement to return to on-site work full time.
- D. The AODA assessment dated April 14, 2021, found Applicant "has a low probability of having a substance use disorder" and recommended Applicant continue to work with her individual therapist until the therapist deems it no longer necessary.

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

CONCLUSIONS OF LAW

1. The Section has jurisdiction to act in this matter pursuant to Wis. Stat. §§ 457.08(1), 457.20, and is authorized to enter the attached Stipulation pursuant to Wis. Stat. §§ 15.08(5)(c) and 227.44(5).

2. Pursuant to Wis. Stat. § 440.08(4), the Section may deny a renewal if it is necessary to protect the public health, safety, or welfare.

3. Pursuant to Wis. Stat. § 457.26(2)(f), the Section may deny or limit a credential if Applicant engaged in unprofessional or unethical conduct in violation of the code of ethics established in the rules promulgated under § 457.03(2).

4. Pursuant to Wis. Stat. § 457.26(2)(h), the Section may deny or limit a credential if Applicant violated Wis. Stat. ch. 457 or any rule promulgated under this chapter.

5. Pursuant to Wis. Admin. Code § MPSW 20.02(9), it is unprofessional conduct to practice or attempt to practice while the credential holder is impaired due to the utilization of alcohol or other drugs, or as a result of an illness which impairs the credential holder's ability to appropriately carry out the functions delineated under the credential in a manner consistent with the safety of a client, patient, or the public.

6. Applicant's admission of alcohol as a coping mechanism, Applicant's recent OWI violation, and the ongoing personal stressors in the Applicant's life, render denial of unlimited renewal of Applicant's credential necessary to protect the public health, safety, or welfare.

7. As a result of the above conduct, Applicant is subject to limitations on her credential pursuant to Wis. Stat. §§ 440.08(4), 457.26(2)(f) and 457.26(2)(h), and Wis. Admin. Code § MPSW 20.02(9).

ORDER

1. The attached Stipulation is accepted.
2. Limitations upon Applicant's Advanced Practice Social Worker credential are necessary to ensure that she is fit and competent to practice as an Advanced Practice Social Worker.
3. Applicant's ability to practice as an Advanced Practice Social Worker in the state of Wisconsin is LIMITED as follows:
 - A. For a period of at least two (2) years from the date of this Order Applicant shall comply with the following mental health treatment requirements:
 - i. Applicant shall abstain from all personal use of alcohol.
 - ii. Within thirty (30) days of the date of this Order, Applicant shall provide proof to the Department Monitor that Applicant has entered or is continuing mental health treatment with a mental treatment provider (Treater), whose credential is in good standing, and approved by the Section. Applicant shall participate in, cooperate with, and follow all treatment recommended by Treater.

- iii. Applicant shall immediately provide Treater with a copy of this Order and all other subsequent orders.
 - iv. Applicant's treatment shall include individual and/or group therapy sessions at a frequency to be determined by Treater, but not less than once a month. Therapy may end only upon a determination by the Section or its designee after receiving a petition for modification, including a recommendation from Treater expressly approving termination of therapy.
 - v. Treater shall immediately report any relapse, violation of any of the terms and conditions of this Order, and any suspected unprofessional conduct, to the Department Monitor. If Treater is unable or unwilling to serve as Treater, Applicant shall immediately seek approval of a successor Treater by the Section or its designee.
 - vi. Treater shall submit formal written reports to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Applicant's progress in the mental health treatment sessions and, abstinence from alcohol. Treater shall report immediately to the Department Monitor any violation or suspected violation of this Order.
 - vii. Applicant shall submit quarterly written self-reports. These reports shall be submitted as directed by the Department Monitor, and address what she has learned in therapy and how she is implementing cognitive behavioral tools and other healthy coping strategies in her daily life.
- B. For a period of at least two (2) years from the date of this Order, Applicant shall comply with the following practice limitations:
- i. Applicant shall provide Applicant's social work employer with a copy of this Order before engaging in, or continuing to engage in, any social work employment. Applicant shall provide the Department Monitor with written acknowledgment from each social work employer that a copy of this Order has been received. Such acknowledgment shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.
 - ii. It is Applicant's responsibility to arrange for quarterly written reports to be submitted to the Department Monitor from her supervisor at each setting in which Applicant practiced social work in the previous quarter. These reports shall be submitted as

directed by the Department Monitor, and shall assess Applicant's work performance, and shall include the number of hours of active social work practice worked during that quarter. If a report indicates poor performance, the Section may institute additional limitations on Applicant's Social Worker credential, in its discretion.

- iii. Applicant shall report to the Section any change of employment status, residence, address or telephone number within five (5) days of the date of change.
- iv. Applicant shall commit no new violations of law and shall report all law enforcement contacts leading to arrest, charge or conviction, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within forty-eight (48) hours of any such event, including any convictions resulting from pending charges.

4. Applicant may petition the Section on an annual basis for modification of the terms of this Order, however no such petition for modification shall occur earlier than one (1) year from the date of this Order. Any petition for modification shall be accompanied by a written recommendation from Applicant's Treater expressly supporting the specific modifications sought. Denial of a petition in whole or in part shall not be considered a denial of a credential within the meaning of Wis. Stat. § 227.01(3)(a), and Applicant shall not have a right to any further hearings or proceedings on the denial.

5. After two (2) consecutive years of successful compliance, including at least six hundred (600) hours of approved social work practice each year, the Applicant may petition the Section for return of full licensure. The Section may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.

6. Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, faxed or delivered 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) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

You may also submit this information online via DSPS Monitoring Case management System, here: <https://dpsmonitoring.wi.gov>

7. In the event Applicant violates any term of this Order, Applicant's credential, or Applicant's right to renew her credential, may, in the discretion of the Section or its designee, be

SUSPENDED, without further notice or hearing. The Section or its designee may terminate the suspension if provided with sufficient information that Applicant is in compliance with the Order and that it is appropriate for the suspension to be terminated. Whether to terminate the suspension shall be wholly in the discretion of the Section or its designee. 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.

8. Applicant shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision, and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

9. 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: *Dr. Cynthia C. Adell* ALC
A Member of the Section

10/01/2021
Date

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

IN THE MATTER OF APPLICATION FOR
RENEWAL OF AN
ADVANCED PRACTICE SOCIAL WORKER
CREDENTIAL

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STIPULATION

LAURA E. RUCKS,
APPLICANT.

ORDER 0007610

It is stipulated between Applicant and the Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (Section) as follows:

1. Applicant filed an application to renew an Advanced Practice Social Worker credential.
2. Information received by the Section reflects a basis for denial of licensure.
3. Based upon the information of record, the Section agrees to issue, and Applicant agrees to accept, an Order granting a Advanced Practice Social Worker credential, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
 - the right to request a hearing related to the denial of the application;
 - the right to confront and cross-examine the witnesses against Applicant;
 - the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
 - the right to testify on Applicant'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 Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
5. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

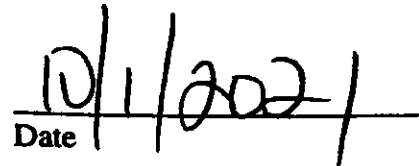
6. Applicant agrees to the adoption of the attached Order Granting Limited License by the Section. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, appearance, or consent of the parties.

7. Applicant waives all rights to any appeal of the Section's Order, as adopted in the form as attached.

8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.

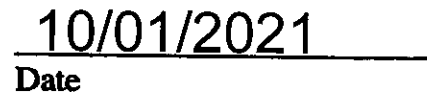


Laura E. Rucks
Deerfield, WI 53531
Credential #130583-121


Date



A Member of the Social Worker Section
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935


Date