

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY	:	ORDER GRANTING INITIAL STAY OF
PROCEEDINGS AGAINST	:	SUSPENSION AND IMPOSING
	:	ADDITIONAL LIMITATIONS
	:	
JERRY W. SAMPLE, C.S.A.C.,	:	ORDER0006214
RESPONDENT.	:	

TO: JERRY W SAMPLE CSAC
ONALASKA WI 54650

On June 9, 2019, the Wisconsin Department of Safety and Professional Services ("Department") issued a Final Decision and Order ("Order") suspending Respondent's certificate to practice as a clinical substance abuse counselor indefinitely. The suspension of Respondent's certificate may be stayed upon Respondent providing proof that Respondent is in compliance with certain terms and conditions including, but not limited to, completion of a fitness for practice evaluation by an approved psychiatrist or psychologist (Evaluator) experienced in evaluating health care practitioners' fitness for practice. The Order further states that Respondent's certificate may be limited in a manner to address any concerns the Department or its designee has with the conduct set out in the Order's Findings of Fact and to address any recommendations resulting from the evaluation. Additionally, Respondent was required to complete eight (8) hours of education on the topic of "documentation;" four (4) hours of education on the topic of "time management for health care professionals;" four (4) hours of education on the topic of "professional ethics" pursuant to the terms of the Order and ordered to pay costs.

On October 6, 2022, the Department's designee evaluated Respondent's request to terminate the suspension of his credential. Based on Respondent's disciplinary record, Respondent's request for termination of the suspension and the information enclosed with the request, and the need to ensure future compliance with professional standards, the following is entered:

ORDER

1. Respondent's request to terminate the suspension imposed pursuant to the Final Decision and Order dated June 9, 2019 is hereby GRANTED.

2. Respondent's certificate is hereby LIMITED as follows:

CONDITIONS AND LIMITATIONS

Practice Limitations

A.1. Respondent shall practice only in a work setting pre-approved by the Department or its designee. Requests for pre-approval must be accompanied by a current job description, name, and contact information of the supervisor, and written acknowledgement from the

employer that a copy of this Order and any subsequent orders have been received and the restrictions will be accommodated.

- A.2. Respondent shall furnish a copy of this Order to all present employers immediately upon issuance of this Order, and to any prospective employer when Respondent applies for employment as a substance abuse counselor. Within fourteen (14) days from the date of this Order, including any subsequent order, Respondent shall provide the Department Monitor with written acknowledgement from the employer that a copy of this Order, and any subsequent Order have been received and that the restrictions will be accommodated.
- A.3 While practicing as a substance abuse counselor, Respondent shall meet with his supervisor on a every other week minimal basis for at least twelve (12) months from the date he resumes practice. Every month, the supervisor shall meet with Respondent and shall review his charts to determine whether or not Respondent: maintains adequate records consistent with the standards of the profession and as required by rule; provides care meeting at least the standard of minimum competence; and conducts and documents assessments as required by the standards of the profession and avoids conflicts of interest.
- A.4. It is Respondent's responsibility to arrange for quarterly written reports to be submitted to the Department Monitor from his supervisor at each setting in which Respondent practiced in the previous quarter. These reports shall be submitted as directed by the Department Monitor, and shall assess Respondent's work performance, adherence to documentation standards, and shall include the number of hours of active practice worked during that quarter. If a report indicates less than satisfactory performance, the Department may institute appropriate corrective limitations, or may rescind a stay of suspension, in its discretion.
- A.5. Respondent shall report to the Department any change of employment status, residence, mailing address, email address, or telephone number within five (5) days of a change. This report shall not be considered formal change of address notification pursuant to Wis. Stat. § 440.11.

Therapeutic Treatment

- B.1. Within thirty (30) days from the date of this Order, Respondent shall provide proof to the Department Monitor that he has begun or is continuing individualized treatment with a psychotherapist, whose credential is in good standing, and approved by the Department or its designee. Respondent shall immediately provide the psychotherapist with a copy of his Orders, the fitness for practice evaluation report, and a release authorizing the psychotherapist to discuss the progress of Respondent's treatment with the Department, its designee, and the Department Monitor.
- B.2. Therapy shall include individual sessions at a frequency determined by the psychotherapist.
- B.3. The psychotherapist shall submit quarterly reports as directed by the Department Monitor. It is Respondent's responsibility to ensure the reports are submitted when due. The

psychotherapist shall immediately report any unprofessional conduct or suspected violation of this Order.

B.4. If Respondent's psychotherapist is unable or unwilling to serve as Respondent's psychotherapist, Respondent shall immediately seek approval of a successor psychotherapist approved by the Department or its designee.

3. Respondent may petition the Department on an annual basis for modification of the terms of the Order upon demonstrating at least one (1) full year of successful, continued compliance with the terms of this Order.

4. Any requests, petitions, reports, and other information required by all orders shall be mailed, emailed, 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
Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. This order is effective the date of its signing.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: Aloysius Rohmeyer
Aloysius Rohmeyer, Chief Legal Counsel
on behalf of the Department

October 10, 2022
Date