

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

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

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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 :  
 : FINAL DECISION AND ORDER  
LYDIA A. MENDEZ, S.A.C.-I.T., :  
RESPONDENT. : **ORDER 0008589**

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Division of Legal Services and Compliance Case No. 22 RSA 007

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

Lydia A. Mendez, S.A.C.-I.T.  
Milwaukee, WI 53204

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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Lydia A. Mendez, S.A.C.-I.T. (Respondent), (Year of Birth 1983) is certified in the state of Wisconsin as a substance abuse counselor-in-training, having certificate number 18748-130, first issued on January 8, 2019 with an expiration of February 28, 2025. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Milwaukee, Wisconsin 53204.

2. At all times relevant to this proceeding, Respondent worked as a substance abuse counselor-in-training at a drug treatment clinic located in Milwaukee, Wisconsin (Clinic).

3. Respondent provided treatment to a thirty-seven-year-old male (D.C.). On September 4, 2021, D.C. was discharged from the Clinic's treatment program.

4. On December 22, 2021, Respondent was terminated from her employment at the Clinic for reasons unrelated to the allegations in the instant matter.

5. Upon Respondent's termination, co-workers presented concerns to the Clinic that Respondent had been engaged in a relationship with D.C.

6. Co-worker A reported that, prior to Respondent's termination, Respondent had informed Co-worker A that Respondent's vehicle had been stolen by Respondent's boyfriend. Later, after Co-worker A lent Respondent money to purchase a new vehicle, Respondent informed Co-worker A that the second vehicle had been stolen by the same boyfriend who had stolen the first vehicle.

7. Per the criminal complaint in Milwaukee County Case Number 2021CF004332, on August 24, 2021, officers observed D.C. get into a Jeep Grand Cherokee which Respondent had previously reported as stolen. Respondent reported to the officers that D.C. was her boyfriend and had stolen the Jeep on August 20, 2021.

8. On October 10, 2021, per a police report in Milwaukee Police Department Case Number 212830138, officers were dispatched to a battery complaint at Respondent's address of record with the Department. The victim, identified as Respondent, stated that her boyfriend, later identified as D.C., had taken her car, a blue 2017 Chrysler 200. Per Respondent, she and D.C. had fought the night before, but she allowed D.C. to sleep at her house. When she awoke, she found her keys and vehicle were missing.

9. Officers located Respondent's car, occupied by D.C., at D.C.'s address.

10. Co-worker B provided the Clinic with pictures posted to Respondent's social media account(s) showing Respondent and a male who co-workers recognized as D.C. In these pictures, the male was identified with the name, "Solitario Cartinez." The pictures showed the Respondent and D.C. in affectionate poses and included captions including "Llegaste cuando no,"<sup>1</sup> "Happy birthday, Mi Amor," and "I found you when I didn't know I was looking for you."

11. During the course of the investigation, Respondent was requested to provide further information regarding her relationship with "Solitario Cartinez." She replied, "I am not nor have I ever been in any kind of relationship with Solitario Cartinez. I have worked with him previously." Respondent did not identify "Solitario Cartinez" as D.C.

12. A Comprehensive Person Report was requested to seek all available public record information on "Solitario Cartinez," both in Wisconsin and nationwide. There is no evidence or indication that the name "Solitario Cartinez" has been used on or in any public record.

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<sup>1</sup> Loosely translated from Spanish as, "I found you."

13. There are no internet search results for a “Solitario Cartinez” in Wisconsin and no applicable results when all location restrictions are removed from the search.

14. There are no CCAP entries for a “Solitario Cartinez,” and no licensee with that name in Department records.

15. Comparisons of Respondent’s posted pictures, a November 29, 2021 Facebook photo of “Solitario Cartinez,” and an August 3, 2022 booking photo of D.C. from the Milwaukee Sheriff’s Office, show D.C. and “Solitario Cartinez” to be the same individual.

16. Respondent was requested to provide further information and an explanation regarding her relationship with D.C., her social media pictures with “Solitario Cartinez,” and the affectionate statements attached to the pictures. Respondent replied, “At my previous employer I did work with [D.C.]. I am not in a relationship with [D.C.] nor have I ever. I had known [D.C.] from the past. In regards to the screenshots of a picture, it was an old picture. As to the comments ‘mi amor’ etc. I don’t recall.” Respondent again did not acknowledge that D.C. and “Solitario Cartinez” were the same person.

17. Based on these responses from Respondent, a Department prosecuting attorney sent investigative questions to Respondent requesting any potential aliases used by “Solitario Cartinez,” any potential mental or physical conditions she may have that would affect her ability to recall the details of interpersonal relationships, further details regarding the criminal cases related to her stolen vehicles, and an explanation of D.C.’s booking photograph and the appearance that D.C. is the same person she identified as “Solitario Cartinez.” Respondent did not respond to that request or any follow-up attempts.

18. Respondent disagrees with these findings and does not admit to any misconduct but wishes to resolve this matter in order to avoid the time and expense of further litigation.

19. Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Department has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.88(6) 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 inappropriate sexual contact, exposure, gratification, or other sexual behavior with a patient, within the meaning of Wis. Admin. Code § SPS 164.01(2)(m).

3. By the conduct described in the Findings of Fact, Respondent failed to avoid dual relationships or relationships that may impair the substance abuse professional's objectivity or create a conflict of interest, within the meaning of Wis. Admin. Code § SPS 164.01(2)(n).

4. By the conduct described in the Findings of Fact, Respondent failed to respond honestly and in a timely manner to a request for information from the Department, within the meaning of Wis. Admin. Code § SPS 164.01(2)(w).

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 440.88(6) and Wis. Admin. Code ch. SPS 164.

ORDER

1. The attached Stipulation is accepted.

2. Respondent's substance abuse counselor-in-training certificate in the state of Wisconsin (certificate no. 18748-130), as well as her right to renew such certificate, is hereby REVOKED.

3. In the event Respondent petitions the Department for reinstatement of her certificate to practice as a substance abuse counselor-in-training in the state of Wisconsin, the Department may enter an order denying such petition without further notice or hearing. Whether to grant certification and whether to impose any limitations or restrictions on any certification shall be in the sole discretion of the Department and such decision is not reviewable.

4. In the event Respondent petitions the Department for reinstatement of her certification to practice as a substance abuse counselor-in-training in the state of Wisconsin or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$2,704.00 before any petition or application for a credential will be considered by the applicable board or Department.

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://dpsmonitoring.wi.gov>.

6. This Order is effective on 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

6/27/2023  
Date

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LYDIA A. MENDEZ, S.A.C.-I.T.,  
RESPONDENT.

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STIPULATION

**ORDER 0008589**

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Division of Legal Services and Compliance Case No. 22 RSA 007

Lydia A. Mendez, S.A.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.

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

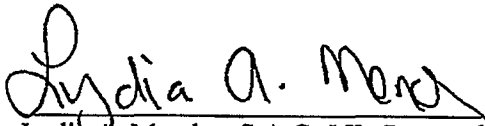
Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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.

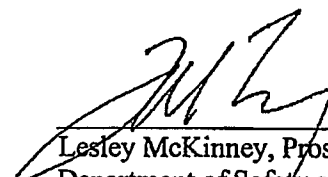
7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. Respondent is further informed that should the Department adopt this Stipulation, the Department's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. 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 A. Mendez, S.A.C.-I.T., Respondent -  
Milwaukee, WI 53204  
Certificate No. 18748-130

6/8/23  
Date

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

6/12/2023  
Date