

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
HEIDI E. NUNNEMACHER, ICS, LCSW, CSAC, :
RESPONDENT. :

ORDER 0008842

Division of Legal Services and Compliance Case No. 23 RSA 002

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

Heidi E. Nunnemacher, ICS, LCSW, CSAC
Oconomowoc, WI 53066

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. Heidi E. Nunnemacher, ICS, LCSW, CSAC (Respondent), (Year of Birth 1959) is certified in the state of Wisconsin as a certified substance abuse counselor, having certificate number 15425-132, first issued on October 19, 2009, and current through February 28, 2025¹.

¹ Respondent is also licensed in the state of Wisconsin as a licensed clinical social worker, having license number 8026-123, first issued on May 14, 2013, and current through February 28, 2025. Respondent is also certified in the state of Wisconsin as an independent clinical supervisor, having certificate number 15404-135, first issued on April 26, 2011. This license expired as of March 1, 2023 and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to apply to renew upon payment of a fee until February 28, 2028.

Respondent's most recent address on file with the Department is in Oconomowoc, Wisconsin 53066.

2. At all times relevant to this proceeding, Respondent practiced as a certified substance abuse counselor at a clinic she owned in Oconomowoc, Wisconsin (Clinic).

3. On January 9, 2023, the Department received a complaint alleging Respondent was presenting herself as a licensed psychologist and utilizing the credential PsyD after her name on her business cards and on the Clinic's website. Respondent's business card, as presented with the complaint, identified her as a "Psychologist" and not as a licensed clinical social worker or clinical substance abuse counselor. Additionally, the Clinic's website had a section titled "My Story" with the descriptions "[M]y practice offers...psychological services..." and "a little help from a professional Psychologist..." The Department opened Case No. 23 RSA 002 to investigate.

4. On January 16, 2023, Respondent informed the Division of Legal Services and Compliance (Division) that she holds a Doctor of Psychology Degree in Organizational Leadership to assist family businesses with succession plans and building healthy family dynamics which allows her to use PsyD on her business cards. Respondent further stated to avoid future misunderstandings she updated her business card and Clinic website to reflect her credentials of LCSW and CSAC and Psy. D in Organizational Leadership and provided a picture of her business card.

5. On March 2, 2023, the Division reviewed the Clinic's website and confirmed that Respondent changed the website to eliminate references to "psychologist."

6. In resolution of this matter, 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 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 violated Wis. Stat. § 455.02(1m)(a) by engaging in the practice of psychology, or attempting to do so or making a representation as authorized to do so, without a license issued by the Psychology Examining Board.

3. By the conduct described in the Findings of Fact, Respondent committed unprofessional conduct by violating a law substantially related to the practice as a substance abuse professional within the meaning of Wis. Admin. Code § SPS 164.01(2)(b).

4. By the conduct described in the Findings of Fact, Respondent committed unprofessional conduct by engaging in false, fraudulent, misleading, or deceptive behavior associated with the practice as a substance abuse professional, including advertising, within the meaning of Wis. Admin. Code. § SPS 164.01(2)(i).

5. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 440.88(6).

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. Respondent's certificate to practice as a certified substance abuse counselor in the state of Wisconsin (certificate number 15425-132), is LIMITED as follows:

a. Respondent shall fully and satisfactorily comply with the terms of the Final Decision and Order issued in DLSC Case No. 23 SOC 003. The question of whether Respondent fully and satisfactorily complies with the terms of any Order issued in DLSC Case No. 23 SOC 003 is solely within the discretion of the Department or its designee. Any violation of the Order issued in DLSC Case No. 23 SOC 003 is a violation of this Order.

4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$445.00.

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://dspsmonitoring.wi.gov>.

6. In the event Respondent violates any term of this Order, Respondent's certificate (number 15425-132), or Respondent's right to renew her certificate, 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: Aloysius Rohmeyer
Chief Legal Counsel

11/7/2023
Date

RECEIVED

APR 7 2023

DIV LEGAL SERVICES & COMPLIANCE
DEPT SAFETY & PROFESSIONAL SERVICES

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

HEIDI E. NUNNEMACHER, ICS, LCSW, CSAC,
RESPONDENT.

STIPULATION

ORDER 0008842

Division of Legal Services and Compliance Case No. 23 RSA 002

Heidi E. Nunnemacher, ICS, LCSW, CSAC (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

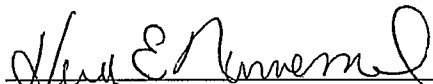
Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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.

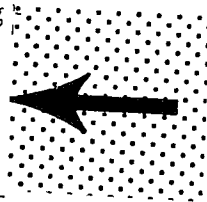
7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.


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.


Heidi E. Nunnemacher, ICS, LCSW, CSAC, Respondent
Oconomowoc, WI 53066
Certificate No. 15425-132

8/4/2023
Date




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

8/7/23
Date