

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

WENDY E. OLSON,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0008926

Division of Legal Services and Compliance Case No. 22 RSA 038

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

Wendy E. Olson,
Marinette, WI 54143

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. Wendy E. Olson (Respondent), (Year of Birth 1974) is certified in the state of Wisconsin as a clinical substance abuse counselor, having certificate number 15842-132, first issued on April 24, 2014, and current through February 28, 2025.¹ Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Marinette, Wisconsin 54143.

¹ Respondent was also granted a temporary advanced practice social worker license (# 13942-121), which expired on July 1, 2023. This license cannot be renewed.

2. At all times relevant to this proceeding, Respondent worked as a clinical substance abuse counselor at a social services agency located in Marinette, Wisconsin (Facility).

3. Respondent served as a local school district counselor and provided AODA counseling to three students required to undergo counseling and monthly drug screenings.

4. During Respondent's counseling, Respondent documented inaccurately. Respondent sent a letter to the school superintendent incorrectly stating that a student (Client A) completed five drug screens when the student completed only two drug screenings. The Facility conducted an internal investigation and found that Respondent copied information from another student's case file and utilized that information in the letter she drafted for Client A.

5. During the Facility's investigation, medical charts of the three students for whom Respondent provided AODA counseling were reviewed, and the Facility found that Respondent's assessments and ASAMS contained inaccurate client information, were lengthier than necessary, and that most of the entries were "copy and pasted" entries, with some entries containing the exact same quotes for different clients.

6. On September 19, 2022, the Facility terminated Respondent for disregarding proper procedures and falsifying documents.

7. 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 engaged in false, fraudulent, misleading or deceptive behavior associated with the practice as a substance abuse professional, including advertising, billing practices, or reporting or falsifying or inappropriately altering patient records within the meaning of Wis. Admin. Code § SPS 164.01(2)(i).

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

4. By the conduct described in the Findings of Fact, Respondent committed unprofessional conduct by engaging in a single act of gross negligence or in a pattern of negligence as a substance abuse professional within the meaning of Wis. Admin. Code § SPS 164.01(2)(v).

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's certificate to practice as a clinical substance abuse counselor (certificate number 15842-132) is SUSPENDED for sixty (60) days beginning one week from the date this order is signed.
3. Respondent's certificate to practice as a clinical substance abuse counselor, (certificate number 15842-132) is LIMITED as follows:
 - a. Within sixty (60) days from the date of this Order, Respondent shall engage the services of a mentor, subject to approval by the Department or its designee, who is licensed to practice professional counseling or substance abuse counseling in the state of Wisconsin.
 - b. The request for approval shall be accompanied by the mentor's current curriculum vitae or other summary of qualifications and a letter from the mentor confirming that he or she has read this Final Decision and Order and agrees to undertake the duties of a mentoring counselor as set out in this Order.
 - c. The mentoring counselor shall be actively engaged in the practice of professional counseling or substance abuse counseling and shall not have any personal relationship, past or present, with Respondent that could reasonably be expected to compromise the proposed mentor's ability to render fair and unbiased reports to the Department.
 - d. The Department or its designee have the full and final authority to approve or reject a proposed mentor. This decision is based on an exercise of discretion and is not reviewable. The Department or its designee may approve or direct a change in the mentoring counselor for any of the following reasons: the mentoring counselor is unable to carry out the responsibilities set out in this order; the mentoring counselor requests the change; the mentoring counselor concludes that Respondent cannot safely and reliably engage in the practice of professional counseling; or the mentoring counselor fails to meet any requirement of this order.
 - e. The mentoring counselor shall meet with Respondent at least once quarterly. During each meeting the mentoring counselor shall review twenty (20) randomly selected case files, chosen by the mentor, of clients Respondent has seen in the preceding quarter. The mentoring counselor shall offer feedback and direction to Respondent for the purposes of ensuring that Respondent maintains client health care records to a level of minimal competence.
 - f. Respondent shall follow the guidance and recommendations of the mentoring counselor.

- g. Whether or not guidance of the mentoring counselor is appropriate and whether Respondent has complied with the guidance shall be in the sole discretion of the Department or its designee. These discretionary determinations are not reviewable.
- h. The mentoring counselor shall file quarterly reports with the Department Monitor at the address below. The reports shall specifically address Respondent's performance during the observed counseling sessions and any deficiencies noticed in the file review, including, but not limited to, missing or incomplete documentation. It is Respondent's responsibility to ensure these reports are submitted when due.
- i. The mentoring counselor shall immediately report, in writing, any unprofessional conduct or suspected violation of this Order to the Department Monitor.
- j. After the timely submission of at least four (4) consecutive favorable quarterly reports and with a written recommendation from the mentor expressly supporting the request, Respondent may petition the Department for modification of this order and/or return to full, unlimited licensure. Whether or not to modify the terms of this Order is in the sole discretion of the Department or its designee and is not reviewable.
- k. Respondent is responsible for all costs associated with the mentoring counselor.

4. Respondent's certificate to practice as a clinical substance abuse counselor in the state of Wisconsin (certificate number 15842-132), is further LIMITED as follows:

- a. Within ninety (90) days of the date of this Order, Respondent shall at their own expense, successfully complete six (6) hours of education on the topic of ethics, and six (6) hours of education on the topic of record keeping. Each course attended in satisfaction of this Order must be pre-approved by the Department or its designee. Respondent shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the course(s) from the Board or its designee. Respondent must take and pass any exam offered for the course(s).
- b. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
- c. The Department or its designee may change the number of credit hours and/or education topics in response to a request from Respondent. The Department or its designee may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.

d. This limitation shall be removed from Respondent's certificate after satisfying the Department or its designee that Respondent has successfully completed all the ordered education.

5. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,193.00. If costs are not paid within ninety (90) days from the date of this Order, interest shall accrue at the statutory rate of 12% per annum, pursuant to Wis. Stat. § 440.22(2).

6. 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>.

7. In the event Respondent violates any term of this Order, Respondent's certificate (number 15842-132), 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.

8. 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

12/22/2023
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

WENDY E. OLSON,
RESPONDENT.

STIPULATION

ORDER 0008926

Division of Legal Services and Compliance Case No. 22 RSA 038

Wendy E. Olson, (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.

Wendy E. Olson
Wendy E. Olson, Respondent
Marinette, WI 54143
Certificate No. 15842-132

December 15, 2023
Date

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

12/20/2023
Date