

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CARLOS J. ACOSTA, I.S.W.,	:	
RESPONDENT.	:	

ORDER 0008953

Division of Legal Services and Compliance Case No. 19 SOC 086

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

Carlos J. Acosta, I.S.W.
Woodstock, IL 60098

Wisconsin Social Worker Section of the Marriage and Family Therapy, Professional
Counseling and Social Work Examining Board
P.O. Box 8366
Madison, WI 53708-8366

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 Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board (Section). The Section has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Carlos J. Acosta, I.S.W. (Respondent), (Year of Birth 1966) is certified in the state of Wisconsin as an independent social worker, having certificate number 1051-122, first issued on January 11, 2016, and expired on February 28, 2021, with no attempt to renew. Pursuant to Wis. Stat. § 440.08, Respondent maintains the right to apply to renew his certificate through February 28, 2026. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Woodstock, Illinois 60098.

2. At all times relevant to this proceeding, Respondent was employed as a social worker at a government agency in Illinois.¹

3. On October 13, 2023, Respondent was convicted in the 22nd Judicial Circuit Court, McHenry County, Illinois, case number 20CF703, of one count of Cause Child Endangered/Death, a class 3 felony in violation of 720 ILCS 5/12C-5(a)(1); and one count of Circumstance Endanger/Death, a class 3 felony, in violation of 720 ILCS 5/12C-5(a)(2).

4. In resolution of this matter, Respondent 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. § 457.26 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 unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(2) by violating a law of any jurisdiction, the circumstances of which substantially relate to the practice under the credential.

3. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(22) by committing gross negligence in practice in a single instance, or negligence in practice in more than one instance.

4. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(24) by failing to notify the appropriate section in writing within 48 hours after the entry of a judgment of conviction for a felony or misdemeanor against the credentialed person.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 457.26(2)(b), (f), and (h), and Wis. Admin. Code § MPSW 20.02.

ORDER

1. The attached Stipulation is accepted.

2. The certification of Respondent to practice independent social work in the state of Wisconsin (certificate number 1051-122) and his right to renew such certification are hereby REVOKED, effective the date of this Order.

3. In the event Respondent petitions the Section for reinstatement as a social worker, the Section may enter an order denying such application without further notice or hearing. Whether to grant a certification and whether to impose any limitations or restrictions on any certification granted shall be in the sole discretion of the Section and such decision is not reviewable.

¹ Respondent is licensed in Illinois as a Licensed Clinical Social Worker, license number 149011623, granted on October 12, 2005 and current through November 30, 2023.

4. In the event Respondent petitions the Department for reinstatement of his certification to practice independent social work 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 \$1,248.00 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 SOCIAL WORKER SECTION OF THE MARRIAGE AND FAMILY
THERAPY, PROFESSIONAL COUNSELING AND SOCIAL WORK EXAMINING BOARD

By: Sherry A. Yang Date 01/24/2024
A Member of the Section

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CARLOS J. ACOSTA, I.S.W.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0008953

Division of Legal Services and Compliance Case No. 19 SOC 086

Carlos J. Acosta, I.S.W. (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. Respondent is represented by Attorney Jamie Wombacher.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board (Section). 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 Section's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Section, 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 Section, the parties agree not to contend that the Section 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 and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Section should accept this Stipulation and issue the attached Final Decision and Order.


7. Respondent is informed that should the Section adopt this Stipulation, the Section'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 Section adopt this Stipulation, the Section'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.

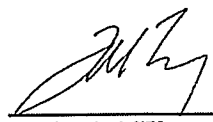
9. The Division of Legal Services and Compliance joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.


Carlos J. Acosta, L.S.W., Respondent
Woodstock, IL 60098
Certificate No. 1051-122

Nov. 15, 2023
Date


Jamie Wombacher, Attorney for Respondent
The Law Offices of Lee & Wombacher, LLC
2460 Lake Shore Dr.
Woodstock, IL 60098

11-21-2023
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

11/27/2023
Date