



**VIRTUAL/TELECONFERENCE
PROFESSIONAL COUNSELOR SECTION
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND
SOCIAL WORK EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Christine Poleski (608) 266-2112
January 26, 2021**

The following agenda describes the issues that the Section plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Section.

AGENDA

12:30 P.M.

(OR IMMEDIATELY FOLLOWING THE MPSW EXAMINING BOARD MEETING)

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of October 13, 2020 (4-6)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns**
- D. Administrative Matters**
 - 1) Department, Staff, and Board Updates
 - 2) Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities **(7-15)**
 - 3) Board Member – Term Expiration Date
 - a. Brown, Cynthia – 7/1/2023
 - b. Miller, Kathleen – 7/1/2021
 - c. Scheidegger, Tammy – 7/1/2020
 - d. Simon, Andrea – 7/1/2023
- E. Credentialing Matters: Licensed Professional Counselor in Training – Renewal Requirements**
- F. American Association of State Counseling Boards (AASCB) – Discussion and Consideration**
 - 1) Working on Proposals for License Endorsement
- G. Substance Abuse Counselor-In Training (SAC-IT) Requirements for Professional Counselors – Discussion and Consideration**
- H. COVID-19 – Discussion and Consideration**

- I. Administrative Rule Matters – Discussion and Consideration
 - 1) Pending or Possible Rulemaking Projects

- J. Discussion and Consideration on Items Added After Preparation of Agenda
 - 1) Introductions, Announcements and Recognition
 - 2) Nominations, Elections, and Appointments
 - 3) Administrative Matters
 - 4) Election of Officers
 - 5) Appointment of Liaisons and Alternates
 - 6) Delegation of Authorities
 - 7) Education and Examination Matters
 - 8) Practice Matters
 - 9) Administrative Rule Matters
 - 10) Legislative and Policy Matters
 - 11) Liaison Reports
 - 12) Board Liaison Training and Appointment of Mentors
 - 13) Informational Items
 - 14) Division of Legal Services and Compliance (DLSC) Matters
 - 15) Presentations of Petitions for Summary Suspension
 - 16) Petitions for Designation of Hearing Examiner
 - 17) Presentation of Stipulations, Final Decisions and Orders
 - 18) Presentation of Proposed Final Decisions and Orders
 - 19) Presentation of Interim Orders
 - 20) Petitions for Re-Hearing
 - 21) Petitions for Assessments
 - 22) Petitions to Vacate Orders
 - 23) Requests for Disciplinary Proceeding Presentations
 - 24) Motions
 - 25) Petitions
 - 26) Appearances from Requests Received or Renewed
 - 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

- K. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

- L. **Deliberation on DLSC Matters**
 - 1) **Administrative Warnings**
 - a. 20 CPC 046 – L.J.K. **(16-17)**
 - 2) **Case Closings**
 - a. 19 CPC 014 – J.K. **(18-25)**
 - b. 20 CPC 032 – A.M. **(26-31)**
 - 3) **Deliberation on Proposed Stipulations, Final Decisions and Orders**
 - a. 17 CPC 047 – Patricia A. Aniakudo, LPC, CSAC, ICS, LCSW **(32-41)**
 - b. 19 CPC 016 – Jennifer D. May, LPC **(42-47)**
 - c. 20 CPC 033 – Julia K. Niver, LPC, CSAC **(48-53)**

d. 20 CPC 039 – McKenin Sallis, LPC (54-60)

M. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

N. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

O. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

P. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: APRIL 20, 2021

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
PROFESSIONAL COUNSELOR SECTION
MEETING MINUTES
OCTOBER 13, 2020**

PRESENT: Cynthia Brown, Kathleen Miller (*arrived at 9:08 a.m.*), Tammy Scheidegger, Andrea Simon

STAFF: Christine Poleski, Executive Director; Jameson Whitney, Legal Counsel; Jon Derenne, Rules Coordinator; Daniel Betekhtin, Bureau Assistant; Kimberly Wood, Program Assistant Supervisor-Adv. and other DSPS Staff

CALL TO ORDER

Tammy Scheidegger, Chairperson, called the meeting to order at 9:03 a.m. A quorum of three (3) members was confirmed.

ADOPTION OF AGENDA

MOTION: Cynthia Brown moved, seconded by Andrea Simon, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 21, 2020

MOTION: Andrea Simon moved, seconded by Cynthia Brown, to approve the Minutes of July 21, 2020 as published. Motion carried unanimously.

(Kathleen Miller arrived at 9:08 a.m.)

CREDENTIALING MATTERS

Licensed Professional Counselor in Training – Renewal Requirements

MOTION: Kathleen Miller moved, seconded by Cynthia Brown, to request DSPS staff draft a Scope Statement revising MPSW 11, relating to renewals of professional counselor in training licenses. Motion carried unanimously.

MOTION: Andrea Simon moved, seconded by Cynthia Brown, to authorize the Chairperson to approve the Scope Statement on MPSW 11 relating to renewals of professional counselor in training licenses for submission to the Governor's Office and publication, and to authorize the Chairperson to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

CLOSED SESSION

MOTION: Kathleen Miller moved, seconded by Cynthia Brown, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Tammy Scheidegger, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Cynthia Brown-yes; Kathleen Miller-yes; Tammy Scheidegger-yes; and Andrea Simon-yes. Motion carried unanimously.

The Section convened into Closed Session at 9:51 a.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Administrative Warnings

18 CPC 010 – R.J.A.

MOTION: Kathleen Miller moved, seconded by Andrea Simon, to issue an Administrative Warning in the matter of R.J.A., DLSC Case Number 18 CPC 010. Motion carried unanimously.

Case Closings

MOTION: Tammy Scheidegger moved, seconded by Andrea Simon, to close the following DLSC Cases for the reasons outlined below:

1. 18 CPC 028 – T.L.Z. – Lack of Jurisdiction (L2)
2. 19 CPC 033 – N.W. – No Violation
3. 19 CPC 038 – J.R. – No Violation

Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

MOTION: Kathleen Miller moved, seconded by Tammy Scheidegger, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 18 CPC 070 – Rosemary O’Connor, LPC, CSAC
2. 19 CPC 070 – Kate S. Anzia, LPC
3. 20 CPC 029 – Kade R. Waldhart, LPC-IT

Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Kathleen Miller moved, seconded by Andrea Simon, to reconvene into Open Session. Motion carried unanimously.

The Section reconvened into Open Session at 10:04 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Andrea Simon moved, seconded by Kathleen Miller, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

ADJOURNMENT

MOTION: Cynthia Brown moved, seconded by Andrea Simon, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:11 a.m.

DRAFT

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Kimberly Wood, Program Assistant Supervisor-Adv.		2) Date When Request Submitted: 12/29/2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Professional Counselor Section			
4) Meeting Date: 1/26/2021	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters 1) Election of Officers 2) Appointment of Liaisons and Alternates 3) Delegation of Authorities	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: 1) The Section should conduct Election Officers: Chairperson, Vice Chairperson & Secretary 2) The newly elected Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate 3) The Board should review and then consider its existing delegated authorities and any proposals for modification of delegations. <ul style="list-style-type: none"> a. Credentialing Delegations (Questions Sarah Norberg) b. Monitoring Delegations (Questions: Amy Mayo) c. Pre-Screening Delegations (Questions: Gretchen Mrozinski) 			
11) Authorization			
<i>Kimberly Wood</i>		12/29/2020	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

PROFESSIONAL COUNSELOR SECTION

2020 Elections and Liaison Appointments

2020 ELECTION RESULTS	
Chairperson	Tammy Scheidegger
Vice Chairperson	Kathleen Miller
Secretary	Cynthia Brown
2020 LIAISON APPOINTMENTS	
Credentialing Liaisons	Kathleen Miller, Tammy Scheidegger, Andrea Simon
Education and Examination Liaison	Tammy Scheidegger <i>Alternate: Kathleen Miller</i>
DLSC Monitoring and Professional Assistance Procedure (PAP) Liaison(s)	Kathleen Miller <i>Alternate: Cynthia Brown</i>
Screening Panel	Tammy Scheidegger, Cynthia Brown <i>Alternate: Andrea Simon</i>

Document Signature Delegation

MOTION: Kathleen Miller moved, seconded by Cynthia Brown, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: Cynthia Brown moved, seconded by Tammy Scheidegger, in order to carry out duties of the Section, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Section hereby delegate to the Executive

Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Tammy Scheidegger moved, seconded by Kathleen Miller, that in order to facilitate the completion of urgent matters between meetings, the Section delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to of Loss of Quorum

MOTION: Kathleen Miller moved, seconded by Tammy Scheidegger, to delegate the review of disciplinary cases to the Department’s Chief Legal Counsel due to lack of/loss of quorum. Motion carried unanimously.

Monitoring Delegations

MOTION: Cynthia Brown moved, seconded by Tammy Scheidegger, to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” as presented in the January 28, 2020 agenda materials. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

MOTION: Kathleen Miller moved, seconded by Tammy Scheidegger, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between DSPS and the Section and to act on behalf of the Section in regard to credentialing applications or questions presented to them. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Kathleen Miller moved, seconded by Tammy Scheidegger, to delegate credentialing authority to DSPS to act upon applications that meet all credentialing statutory and regulatory requirements without Section or Section liaison review. Motion carried unanimously.

Criminal Background Check Approval Delegation

MOTION: Cynthia Brown moved, seconded by Kathleen Miller, to authorize DSPS staff to approve applications where criminal background checks have been approved for a previous Professional Counselor training license credential and no criminal activity has occurred since that approval. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Cynthia Brown moved, seconded by Tammy Scheidegger, that the Department's Attorney Supervisors, DLSC Administrator, or their designee are authorized to serve as the Section's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Pre-Screen Delegation

MOTION: Kathleen Miller moved, seconded by Cynthia Brown, to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

MOTION: Tammy Scheidegger moved, seconded by Cynthia Brown, to delegate pre-screening decision making authority to the DSPS screening attorney for closing cases as outlined below:

1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
2. Complaints that even if allegations are true, do not amount to a violation of law or rules.

Motion carried unanimously.

Education and Examination Liaison Delegation(s)

MOTION: Kathleen Miller moved, seconded by Cynthia Brown, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education and examinations. Motion carried unanimously.

Education Approval Delegation

MOTION: Tammy Scheidegger moved, seconded by Cynthia Brown, to authorize DSPS staff to approve education that meets CACREP or CORE requirements. Motion failed.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Tammy Scheidegger moved, seconded by Kathleen Miller, to authorize DSPS staff to provide national regulatory related bodies with all Section member contact information that DSPS retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Kathleen Miller moved, seconded by Cynthia Brown to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

PROPOSED 2021 CREDENTIALING DELEGATION MOTIONS

Delegation of Authority to Credentialing Liaison

MOTION: to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Section and to act on behalf of the Section in regard to credentialing applications or questions presented to them, including the signing of documents related to applications.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: to delegate credentialing authority to DSPS to act upon applications that meet all credentialing statutory and regulatory requirements without Section or Section liaison review.

Delegation of Authority for Predetermination Reviews

MOTION: to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f).

Delegation of Authority for Conviction Reviews

MOTION: to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of Professional Counseling.

Or, alternatively,

MOTION: to delegate authority to Department Paralegals to review and approve applications with [optional: up to X] municipal/ordinance violations which are not substantially related to the practice of Professional Counseling.

MOTION: to delegate authority to Department Attorneys to review and approve applications with [optional: up to X] municipal/ordinance violations and misdemeanors [optional: each more than X years old and] which are not substantially related to the practice of Professional Counseling.

Delegation to DSPS When Applicant's History Has Been Previously Reviewed

MOTION: to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous Professional Counseling credential and there is no new conviction record.

Delegation of Authority for Reciprocity Reviews

MOTION: to delegate authority to the Department Attorneys to review and approve reciprocity applications in which the out of state license requirements are substantially equivalent to the Board's/Section's requirements.

Delegated Authority for Application Denial Reviews

MOTION: to delegate authority to the Department's Attorney Supervisors to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential.

Roles and Authorities Delegated for Monitoring

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors (“Monitor”) to enforce Board/Section orders as explained below.

~~Current~~ Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/~~disciplinary~~/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing/~~disciplinary~~/~~remedial~~ education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant a maximum of one extension, if warranted and requested in writing by Respondent, to complete a Board/Section-ordered evaluation or exam.
- ~~7.8.~~ Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain ~~the signature of~~ written authorization from the Liaison to sign on their behalf.
- ~~8.9.~~ Grant or deny a request to appear before the Board/Section in closed session.
- ~~9.10.~~ Board Monitoring The Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
- ~~10.11.~~ (*Except Pharmacy and Medical*) Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.

~~11.12.~~ *(Except Pharmacy)* Grant Respondent's petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison. Orders that do not start at 49 screens will still follow the same standard schedule.

- a. ~~Initial Year 1:~~ 49 screens (including 1 hair test, if required by original order)
- b. ~~1st Reduction Year 2:~~ 36 screens (plus 1 hair test, if required by original order)
- c. ~~2nd Reduction Year 3:~~ 28 screens plus 1 hair test
- ~~d. Year 4: 28 screens plus 1 hair test~~

- e. ~~Year 5: 14 screens plus 1 hair test~~
- d. 3rd Reduction: 14 screens plus 1 hair test

~~12.13.~~ *(Dentistry only)* Ability to approve or deny all requests from a respondent.

~~13.14.~~ *(Except Nursing)* ~~Board Monitoring~~ The Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.

~~Current~~ Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if education ~~CE~~ is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered education ~~CE~~ and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof of completion and/or payment have been received.
3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.

Authorities Delegated to Board Legal Counsel

Board Legal Counsel may take the following actions on behalf of the Board/Section:

1. Sign Monitoring orders that result from Board/Section meetings on behalf of the Board/Section Chair.

PC Section Pre-screening Delegation

2020:

Pre-Screen Delegation

MOTION: Kathleen Miller moved, seconded by Cynthia Brown, to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

MOTION: Tammy Scheidegger moved, seconded by Cynthia Brown, to delegate pre-screening decision making authority to the DSPS screening attorney for closing cases as outlined below:

1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
2. Complaints that even if allegations are true, do not amount to a violation of law or rules.

Motion carried unanimously.

DLSC request that the Section adopt the above motions for 2021.