

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
CHARLES A. MESECK, L.P.C., : LS0805191CPC  
RESPONDENT. :

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[Division of Enforcement Cases # 08 CPC 002]

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

Charles A. Meseck, L.P.C.  
340 Heidel Road  
Thiensville, WI 53092

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
PO Box 8935  
Madison, WI 53708-8935

Professional Counselor Section  
Marriage and Family Therapy, Professional Counseling  
and Social Work Examining Board  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

#### PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision in this matter subject to the approval of the Professional Counselor Section. The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section adopts the attached Stipulation and makes the following:

#### FINDINGS OF FACT

1. Charles A. Meseck, L.P.C., Respondent, date of birth December 12, 1950, is licensed by the Professional Counselor Section as a professional counselor in the state of Wisconsin pursuant to license number 3102, which was first granted November 26, 2001. (Prior to a statutory change effective 11/01/02, Respondent's credential was a certificate as professional counselor.)

2. Respondent's last address reported to the Department of Regulation and Licensing is 340 Heidel Road Thiensville, WI 53092.

3. The Section's granting of a license to Respondent in November 2001 was based in part on the answers he provided to the questions on his application for the license. Respondent falsely answered "no" to the following question on the application:

"Have you ever applied for and been denied a credential (license, certification or registration) in any profession? If yes, give details on an attached sheet, including the name of the profession and the licensing authority."

4. On December 13, 1996, prior to the time Respondent completed his application for a Wisconsin license as a professional counselor, the Minnesota Board of Psychology issued a Stipulation and Consent Order denying Respondent's

application for licensure to practice psychology in that state. The Minnesota Order included:

a. Stipulated facts that the Board had received a complaint that in 1992, Respondent provided incompetent services to clients #1 – #5 including improper diagnoses, treatment planning, and psychological test administration and interpretation; failed to refer clients for family therapy; altered therapy notes; and listed false or exaggerated symptoms or characteristics in order to secure reimbursement.

b. Stipulated facts that following a November 18, 1994 conference with the Board's Complaint Resolution Committee, the Board received additional complaints concerning Respondent's conduct with clients #6, #7 and #8 between 1993 and 1995. The complaints related to Respondent's misdiagnosing client #7 with Borderline Personality Disorder, improperly releasing information about client #7 to client #6 which client #6 used against client #7 in court in child custody proceedings, and failing to observe appropriate professional boundaries and engaging in sexual contact with client #8.

c. Respondent's conduct described in the complaints the Board had received were viewed by the Board to be in violation of statutes and rules enforced by the Board and Respondent agreed with the Board.

#### CONCLUSIONS OF LAW

1. The Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 457.26(2) and has authority to enter into this stipulated resolution pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by engaging in the conduct set out above, has used fraud or deception in the application for a license which is unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(4), and is subject to discipline pursuant to Wis. Stat. § 457.26(2)(a).]

#### ORDER

1. The license of Charles A. Meseck, L.P.C., Respondent, to practice as a professional counselor in the state of Wisconsin is hereby REVOKED, effective immediately.

2. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$350.00 pursuant to Wis. Stat. § 440.22(2).

3. Payment shall be mailed or delivered to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax (608) 266-2264  
Telephone (608) 267-3817

4. This Order is effective on the date of its signing.

Professional Counselor Section  
Wisconsin Marriage and Family Therapy,  
Professional Counseling and Social Work Examining Board

By: Les Mirkin  
A Member of the Section

5/19/08  
Date

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

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : STIPULATION  
CHARLES A. MESECK, L.P.C., : LS \_\_\_\_\_ CPC  
RESPONDENT. :

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[Division of Enforcement Case # 08 CPC 002]

It is hereby stipulated and agreed, by and between Charles A. Meseck, L.P.C., Respondent; and John R. Zwieg attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement. Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Respondent understands that by signing this Stipulation, he voluntarily and knowingly waives his rights, including the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; 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 him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.

3. Respondent has been provided an opportunity to obtain advice of legal counsel prior to signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Section. The parties to this 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 be returned to the Division of Enforcement for further proceedings. In the event that this 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. Attached to this Stipulation are Respondent's current wall and wallet registration certificates. If the Section does not accept this Stipulation, Respondent's certificates shall be returned to Respondent with a notice of the Section's decision not to accept the Stipulation.

7. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Section ever assigned as a case advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent or his attorney, if any, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with the Section's deliberations on the Stipulation. Additionally, any such case advisor may vote on whether the Section should accept this Stipulation and issue the attached Final Decision and Order.

8. 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.

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

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Charles A. Meseck, L.P.C.  
Respondent  
340 Heidel Road  
Thiensville, WI 53092

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Date

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John R. Zwieg  
Attorney for Complainant  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935

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Date