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STATE OF WISCONSIN
BEFORE THE PROFESSIONAL COUNSELOR SECTION
EXAMINING BOARD OF SOCIAL WORKERS
MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

JACK G. RUDOLPH, CPC

Case No LS9908266CPC

RESPONDENT.

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FINAL DECISION AND ORDER

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

*Jack G. Rudolph, CPC
3908 Washington Rd.
Kenosha, WI 53144*

*Professional Counselor Section
Examining Board of Social Workers,
Marriage and Family Therapists and Professional Counselors
PO Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935*

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 in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Jack G. Rudolph, Respondent, date of birth July 10, 1962, was certified as a professional counselor in the State of Wisconsin, pursuant to certificate number 2651, which was first granted on June 2, 1997.
2. Respondent has not renewed his certificate since it expired on June 30, 1999. Respondent made the decision not to renew his certificate for personal reasons unrelated to this matter.
3. Pursuant to §440.08(3), Stats., Respondent could renew his certificate, within five years of its expiration, by payment of a late renewal fee.
4. Respondent received a masters of science degree in guidance and vocational counseling from the University of

Wisconsin at Whitewater, in 1993.

5. Respondent's last address reported to the Department of Regulation and Licensing is 3908 Washington Rd., Kenosha, WI, 53144.

6. Respondent was employed as a masters level case manager at Community Support Program, in Kenosha, Wisconsin, from March 28, 1994 until he resigned on October 9, 1998.

7. As part of Respondent's job duties at Community Support Program, Respondent was responsible for maintaining the files of the clients to whom he was providing services, and was responsible for obtaining any necessary signatures on the forms required for the provision of services.

8. During the time Respondent was employed at Community Support Program, Respondent signed the names of other individuals to forms in Respondent's client's files, without the permission of those individuals, and represented the signatures to be those of the individuals.

9. Such false signatures appeared on 25 documents in 18 client files. The titles of the forms and the category of individual whose signatures Respondent signed on those forms are:

- a. Treatment Plan forms contained false signatures of the Director of Community Support Program, the physician and the client.
- b. In-Depth Assessment forms contained false signatures of the Director of Community Support Program, the physician and the client.
- c. Consent for Treatment forms contained false signatures of the client or the client's guardian.
- d. Release of Information forms contained false signatures of the client or the client's guardian.
- e. Consent for Medicine forms contained false signatures of the client or the client's guardian.

10. Respondent's purpose in signing the names of the other individuals in the records was not to obtain any financial gain for himself, and his having done so did not result in his obtaining any additional financial benefit.

11. The Division of Enforcement does not have any evidence that any client was harmed as a result of Respondent's conduct and does not have any evidence that any client received inappropriate treatment as a result of Respondent's conduct.

CONCLUSIONS OF LAW

1. The Professional Counselor Section of the Wisconsin Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has jurisdiction over this matter pursuant to §457.26(2), Stats.

2. The Professional Counselor Section of the Wisconsin Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has authority to enter into this stipulated resolution pursuant to §227.44(5), Stats.

3. Respondent's conduct, as set forth above, constitutes making false statements in practice in violation of Wis. Adm. Code §SFC 20.02(7) and subjects Respondent to discipline pursuant to §457.26(2)(f), Stats.

ORDER

1. Jack G. Rudolph shall not apply to renew his certification as a professional counselor until at least July 1, 2001.

2. After that date, if Respondent applies to renew his certification, the Section shall renew the certification if Respondent provides proof sufficient to the Section that:

- a. Respondent has taken and completed a full day program in ethics, which shall first be approved by the Section or its designee.
- b. Respondent has taken and passed the jurisprudence examination required for original certification, pursuant to § 457.12(4), Stats., and Wis. Adm. Code § SFC 11.02.
- c. Respondent has complied with any continuing education requirements, which the Section requires of its credential holders prior to their being able to renew their certificates pursuant to § 457.22, Stats., and Wis. Adm. Code chapter SFC 8.

Dated at Madison, Wisconsin this 26th day of August, 1999.

Colleen James

Chairperson

Professional Counselor Section