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STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST:

DONALD J. PLATNER, M.S.,
RESPONDENT

FINAL DECISION AND ORDER
LS0203271PSY

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

Donald J. Platner, M.S.
6916 N. Yates Road
Fox Point, WI 53217

Wisconsin Psychology Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. 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 of this matter, subject to the approval of the 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

1. Donald J. Platner M.S., Respondent, date of birth December 18, 1941, is licensed by the Wisconsin Psychology Examining Board as a psychologist in the state of Wisconsin pursuant to license number 95, which was first granted April 17, 1970.
2. Respondent's license was granted pursuant to the licensing requirements which were in effect in 1970. Because Respondent has only a master's degree and does not have a doctoral degree in psychology, Respondent would not qualify for original licensure under the requirements in effect at this time.
3. Respondent's last address reported to the Department of Regulation and Licensing is 6916 N. Yates Road, Fox Point, WI 53217.
4. On August 1, 2001, Respondent was charged in Milwaukee County Wisconsin Circuit Court case number 01CF004034 with one count of violating § 940.22(2), Stats., (Sexual Exploitation by Therapist), a Class C felony. This count alleged that, from March 1992 to March 1999, Respondent had sexual contact with a patient during the ongoing therapist-client relationship.
5. On March 22, 2002, Respondent entered a plea of no contest to the charge of violating § 940.22(2), Stats., (Sexual Exploitation by Therapist) and was convicted.

6. § 940.22(2), Stats., is a crime the circumstances of which substantially relate to the circumstances of the professional practice of psychology.

7. § 940.22(2), Stats., is a law the circumstances of which substantially relate to the circumstances of the professional practice of psychology.

CONCLUSIONS OF LAW

1. The Psychology Examining Board has jurisdiction over this matter pursuant to § 455.09(1), Stats.
2. The Wisconsin Psychology Examining Board has authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.
3. Respondent, by having been convicted of a crime the circumstances of which substantially relate to the circumstances of the professional practice of psychology, has committed unprofessional conduct as defined by Wis. Adm. Code § Psy 5.01(5) and is subject to discipline pursuant to § 455.09(1)(g), Stats.
4. Respondent, by having violated a law the circumstances of which substantially relate to the circumstances of the professional practice of psychology, has committed unprofessional conduct as defined by Wis. Adm. Code § Psy 5.01(5) and is subject to discipline pursuant to § 455.09(1)(g), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the surrender by Donald J. Platner, M.S., of his license to practice psychology in the state of Wisconsin is hereby accepted, effective immediately.

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin this 27th day of March, 2002.

Barbara A. Van Horne, M.B.A., Ph.D.

Chairperson

Psychology Examining Board