

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

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 :
 : LS0207191CPC
LAWRENCE A. KANE III, C.P.C., :
RESPONDENT. :

FINAL DECISION AND ORDER

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

Lawrence A. Kane III, C.P.C.
7170 N. Port Washington Road
Glendale, WI 53217

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. Lawrence A. Kane III, C.P.C., Respondent, date of birth August 16, 1956, is certified by the Professional Counselor Section as a professional counselor in the state of Wisconsin pursuant to certificate number 1529, which was first granted September 23, 1994.

2. Respondent's last address reported to the Department of Regulation and Licensing is 7170 N. Port Washington Road, Glendale, WI 53217.

3. During the events of this matter, Respondent practiced as a professional counselor for the Wisconsin Community Mental Health Counseling Center, at several locations. Among the offices at which Respondent practiced was one located at W62N556 Washington Avenue in Cedarburg, Wisconsin.

COUNT I

4. Respondent moved into the Cedarburg office in approximately July 2001. The office is located on the second floor of a Victorian style house. Access to the office is by an outside, open, but roofed stairway along the side of the house.

5. Respondent contacted a sign company and orally requested a wooden, painted sign to hang off the stairway in order to advertise that his office was located in the building. Respondent requested that the wording on the sign include "Clinical Psychotherapist."

6. The sign company made and hung the sign at about the time Respondent moved into the office. The sign was the only sign on the outside of the building advertising Respondent's office. The sign company erroneously painted "Certified Psychologist" on the sign, rather than "Clinical Psychotherapist" which Respondent had requested.

7. At the bottom, the sign had a picture of a hand with the forefinger extended pointing toward Respondent's external office door. The remainder of the sign read:

Wisconsin
Community
Mental Health
Counseling Center

Lawrence A. Kane III

Certified Psychologist

8. Respondent is not, and was not at that time, a psychologist.

9. The inappropriate and inaccurate sign hung there for seven months despite the fact that it could be easily reached and was clearly visible and in Respondent's line of sight upon entering and exiting his office.

10. Respondent made no effort to change the sign, or have the sign changed, until he received a

letter of February 7, 2002 from the Division of Enforcement asking him to explain the basis for having a sign calling himself a psychologist. Upon receipt of the letter, Respondent immediately asked the sign company to change the sign and by February 11, 2002, the last line of the sign was changed to "Certified Psychotherapist."

11. None of the signs at any of Respondent's several other offices has ever identified Respondent as a psychologist. Respondent has never identified himself as a psychologist on his letterhead.

COUNT II

12. Respondent is not, and never has been, licensed as a psychologist in the state of Wisconsin, pursuant to § 455.04(1), Stats.

13. Pursuant to § 455.02(3m), Stats., Respondent is, and was at that time, prohibited from using the title "psychologist" or any similar title or state or imply that he is licensed to practice psychology in the state of Wisconsin.

14. § 455.02(3m), Stats., is a law the circumstances of which substantially relate to practice under a professional counselor certificate.

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, by allowing the sign which erroneously identified him as a psychologist to continue to hang without correction for approximately 7 months, committed unprofessional conduct as defined by Wis. Adm. Code § SFC 20.02(5) and is subject to discipline pursuant to §457.26(2)(h), Stats.

4. Respondent, by violating a law, the circumstances of which substantially relate to practice under his professional counselor certificate, committed unprofessional conduct as defined by Wis. Adm. Code § SFC 20.02(2) and is subject to discipline pursuant to § 457.26(2)(h), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Lawrence A. Kane III, C.P.C., is REPRIMANDED for the conduct set out above.

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

Dated at Madison, Wisconsin this 12th day of September, 2002.

Colleen James

Chairperson

Professional Counselor Section