

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ORDER OF
SUMMARY SUSPENSION OF THE
LICENSE

LAWRENCE KANE, CPC
RESPONDENT

ORDER 0001014

Case 11 CPC 018

TO: Lawrence Kane
7170 N. Port Washington Road
Glendale, WI 53217

On the basis of the sworn Petition for Summary Suspension and the testimony of Hannah Hoff, investigator for the Division of Enforcement, Department of Safety and Professional Services, at the meeting of the Professional Counselor Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board on July 25, 2011, the Section finds:

1. That the Notice of the Petition for Summary Suspension was served on Respondent by mailing a copy of the Notice and Petition to Lawrence Kane at 7170 N. Port Washington Road, Glendale, Wisconsin 53217, on July 21, 2011; and by fax transmission on July 21, 2011, to his corporate headquarters at 262/242-3816.
2. Wisconsin Administrative Code § MPSW 20.01 defines "gross negligence" in the practice of professional counseling as the performance of professional services that does not comply with an accepted standard of practice that has a significant relationship to the protection of the health, safety or welfare of a patient, and that is performed in a manner indicating that the person performing the services knew or should have known, but acted with indifference to or disregard of, the accepted standard of practice.

3. Wisconsin Administrative Code § MPSW 20.02(13) defines unprofessional conduct by a professional counselor to include failure to avoid dual relationships or relationships that may impair the professional counselor's objectivity or create a conflict of interest.
4. That there is probable cause to believe that Respondent engaged in a prohibited dual relationship with Patient W.F. during 2009 and 2010, by borrowing approximately \$15,000 from the patient during the therapeutic relationship, and by engaging the Patient to move and store office furnishings for Respondent.
5. That Respondent is currently defending against a formal allegation of entering into a prohibited dual relationship with a different patient, BK, in 2008. The formal complaint in that case alleges that Respondent had a patient perform thirty hours of cleaning services for him, without compensation, while Respondent was treating the patient in aid of narcotics addiction recovery, and that this was a dual relationship. Respondent's formal answer in that case admits that the patient did "some cleaning" for Respondent, but denies that it was uncompensated services or that it was a dual relationship.
6. That Respondent was disciplined by the Professional Counselor Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board in 2002 for falsely identifying himself as a psychologist on the sign at his place of business.
7. That Respondent was disciplined by the Professional Counselor Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board in 2005 for making an unsubstantiated diagnosis of Borderline Personality Disorder of his patient's wife, and reporting that unsubstantiated diagnosis to the court in support of his patient's attempt to gain custody of his patient's child.
8. That Respondent's inability or refusal to avoid unprofessional conduct, including prohibited dual relationships with patients, imperatively requires the emergency suspension of Respondent's license, to protect the public health, safety and welfare.

NOW THEREFORE IT IS ORDERED pursuant to Wis. Stat. § 457.26 and Wis. Admin. Code ch. RL 6, that the license previously granted to Lawrence Kane III is SUMMARILY SUSPENDED, effectively immediately.

IT IS FURTHER ORDERED that the suspension shall continue in effect until the effective date of a final decision and order in the disciplinary proceedings against Respondent to be filed within ten days of this Order, unless otherwise ordered by the Professional Counselor Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board or the Administrative Law Judge of the Department of Administration, Division of Hearings and Appeals, on behalf of the Section.

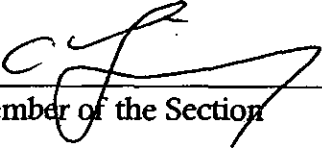
RESPONDENT IS HEREBY NOTIFIED that he has the right to demand a hearing to show cause why the summary suspension should not be continued; that hearing to be held within twenty days of receipt of Respondent's request for a hearing, unless a later time is requested or agreed to by Respondent.

A request for a hearing to show cause why the summary suspension should not continue may be delivered to:

Professional Counselor Section
Marriage and Family Therapy, Professional Counseling and Social Work Examining Board
Department of Safety and Professional Services
1400 E. Washington Avenue
Madison, WI 53708

Dated July 25, 2011.

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



A Member of the Section