

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

LAWRENCE KANE, III, L.P.C.
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
: DHA case SPS 10-0102 and
: DHA case SPS 11-0065

ORDER 0001014

Division of Enforcement Case No. 07CPC010, 08CPC010, 08CPC020, 08CPC022, 09CPC007,
09CPC008, 09CPC009, 09CPC017, 09CPC019, 09CPC025, 09CPC029, 09CPC036, 10CPC004, 11 CPC
018

The parties to this proceeding for purposes of Wis. Stat. 227.53 are:

Lawrence Kane, III, LPC
7170 N. Port Washington Road
Glendale WI 53217

Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935
Madison WI 53708

Professional Counselors Section
Department of Safety and Professional Services
P.O. Box 8935
Madison WI 53708

Procedural History

The Division of Enforcement filed the complaint that became DHA case SPS 10-0102 on December 23, 2010, and the complaint that became DHA case SPS 11-0065 on July 29, 2011. Administrative Law Judge Amanda Tollefsen was assigned to both cases. Respondent Lawrence Kane, by attorney Richard Lewandowski and Whyte Hirschboeck Dudek, timely filed Answers in both matters. Prehearing conferences were held, and the matters were set for hearing on October 3, 4, and 5, 2011. The parties reached a resolution, and presented it to the Section for its consideration. The Section considers the resolution acceptable, and makes the following:

Findings of Fact

1. Lawrence Kane, III, L.P.C., Respondent, date of birth August 16, 1956, is licensed as a Professional Counselor pursuant to license number 1529, which was first granted on September 23, 1994.

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

3. Since at least 2000, Respondent has been the owner and director of Wisconsin Community Mental Health Counseling Centers, Inc. (WCMHCC), an entity that provides outpatient mental health services at several locations in Wisconsin.

4. The formal disciplinary complaint against Respondent alleges that he

- engaged in false advertising,
- permitted an unlicensed person to practice psychotherapy,
- engaged in misleading business and billing practices to the detriment of his patients;
- intentionally violated patient confidences;
- failed to comply with State regulations governing the operation of private psychotherapy practices;
- engaged in the negligent practice of psychotherapy by conducting sessions in public places and while simultaneously engaged in personal errands; and
- engaged in non-sexual prohibited dual relationships with patients.

5. Respondent denies that any of his conduct violated any of the standards or rules governing the practice of a professional counselor but has decided to retire from practice, and in order to avoid the expense, delays and uncertainties of an administrative hearing, has agreed to resign his license.

Conclusions of Law

1. The Professional Counselor Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board has jurisdiction in this matter pursuant to Wis. Stat. § 457.26.

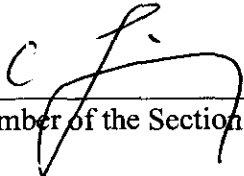
2. Respondent's conduct as alleged in the formal complaint violated Wis. Admin. Code § MPSW 20.02 and is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f).

Order

Now, therefore, it is ORDERED that

1. The Professional Counselor Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board accepts the resignation and surrender of Respondent's license, together with all rights to reinstatement.
2. Within 90 days of the date of this Order, Respondent shall pay costs of the proceeding in the amount of \$1075.00 (One thousand seventy-five dollars).
3. This Order is effective on the date of its signing.

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



A Member of the Section

2/3/12.
Date