

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CONSTANZ W. HARTNEY, PH.D.,	:	
RESPONDENT.	:	ORDER 0002083

Division of Enforcement Case No. 12PSY016

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

Constanz W. Hartney, Ph.D.
6365 South 20th Street Apt 6
Oak Creek, WI 53154

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Psychology Examining Board
Department of Safety and Professional Services
1400 East Washington Avenue
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 Psychology Examining Board (Board). The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Constanz W. Hartney, Ph.D., (DOB 03/29/1945) is licensed to practice Psychology in the State of Wisconsin (license no. 1225-57). This license was first granted on May 16, 1986.

2. Respondent's most recent address on file with the Wisconsin Psychology Examining Board (Board) is 6365 South 20th Street Apt 6, Oak Creek, WI 53154.

3. On or about September 28, 2011, Respondent renewed his license to practice psychology in the State of Wisconsin. During the Continuing Education Certification portion of the renewal process, Respondent attested to the following statement:

I have completed 40 hours of continuing education (including 6 hours in the topics of ethics, legal issues, and/or risk management in psychology) as provided in Wisconsin Administrative Code § PSY 4.02, during the biennium immediately preceding the renewal date and I have documentation of this coursework, which I will furnish to the Department upon request.

4. In November 2011, as a result of a continuing education audit conducted on behalf of the Board, the Department requested that Respondent submit an attendance table, and proof of attendance, that included the continuing education hours he completed during the 2009-2011 credentialing period.

5. Respondent submitted his attendance table, which indicated that Respondent completed 37 continuing education hours during the 2009-2011 biennium. Respondent also listed that he supervised post-doctoral candidates for 48 hours, however the supervision is not recognized under Wis. Admin. Code § Psy 4.02.

6. Respondent has completed 3 additional hours and is now in compliance with the continuing education requirements for the 2009-2011 biennium.

CONCLUSIONS OF LAW

1. The Wisconsin Psychology Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 455.09, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 3-6 above constitutes a violation of Wisconsin Administrative Code §§ Psy 4.02 and 5.01(34), and subjects Respondent to discipline pursuant to Wis. Stat. § 455.09(1)(g).

ORDER

1. Constanz W. Hartney, Ph.D., is hereby REPRIMANDED.

2. Respondent shall not count the continuing education hours earned to satisfy the continuing education requirements of the 2009-2011 biennium towards the continuing education requirements of the 2011-2013 biennium.

3. Respondent shall, within ninety (90) days from the date for this Order, pay costs of this proceeding in the amount of One Hundred Fifty (\$150.00). Payment shall be made payable to the Wisconsin Department of Safety and Professional Services, and mailed to:

Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely pay costs as ordered, Respondent's license to practice psychology, license no. 1225-57, MAY BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

5. This Order is effective on the date of its signing.

Wisconsin Psychology Examining Board

By: Bruce R. Edmund PhD
A Member of the Board

October 10, 2012
Date