

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

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STATE OF WISCONSIN  
BEFORE THE PSYCHOLOGY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

CHARLENE J. KAVANAGH,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
: DHA case SPS 15-0030  
:

**0004351**

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Division of Legal Services and Compliance Case No. 13 PSY 009

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

Charlene J. Kavanagh  
206 Ozark Trail  
Madison, WI 53705

Wisconsin Psychology Examining Board  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

The Division of Legal Services and Compliance commenced this proceeding by filing a formal complaint and notice of hearing against Charlene J. Kavanagh on March 10, 2015. Respondent Kavanagh, by her attorney Daniel Icenogle, filed an answer. Administrative Law Judge Jennifer Nashold held prehearing conferences, and issued scheduling orders.

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Psychology Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Charlene J. Kavanagh was licensed in the state of Wisconsin to practice psychology, having license number 1252-57, first granted on October 10, 1986, and current through September 30, 2013. Respondent retains the right to renew the license until October 1, 2018.

2. The most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) for Respondent is 206 Ozark Trail, Madison, Wisconsin 53705.

3. Respondent is the subject of a formal complaint by the Department of Safety and Professional Services alleging that Respondent engaged in a prohibited dual relationship, which complaint is currently pending before the Division of Hearing and Appeals.

4. Respondent tenders the surrender of her license (number 1252-57) to practice psychology in the state of Wisconsin, along with all rights to renew that license, in resolution of the formal complaint against her.

5. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

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

#### ORDER

1. The attached Stipulation is accepted.

2. The permanent SURRENDER of the license to practice psychology in the state of Wisconsin issued to Charlene J. Kavanagh (license no. 1252-57) is hereby accepted.

3. This surrender constitutes the permanent relinquishment of Respondent's credential to practice psychology in the state of Wisconsin.

4. Respondent shall immediately return all indicia of Wisconsin licensure to the Department Monitor at the address below.

5. Within ninety (90) days from the date of this Order, Charlene J. Kavanagh shall pay COSTS of this matter in the amount of \$5313.00.

6. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

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

WISCONSIN PSYCHOLOGY EXAMINING BOARD

by: Daniel Aschneider  
A Member of the Board

11.11.15  
Date

STATE OF WISCONSIN  
BEFORE THE PSYCHOLOGY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

CHARLENE J. KAVANAGH,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION  
DHA Case No. SPS 15-0030

**0004351**

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Division of Legal Services and Compliance Case No. 13 PSY 009

Respondent Charlene J. Kavanagh and the Division of Legal Services and Compliance,  
Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending disciplinary proceeding against Respondent. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:
  - the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
  - the right to confront and cross-examine the witnesses against Respondent;
  - the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
  - the right to testify on Respondent's own behalf;
  - the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
  - the right to petition for rehearing; and
  - all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Daniel L. Icenogle.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Psychology Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

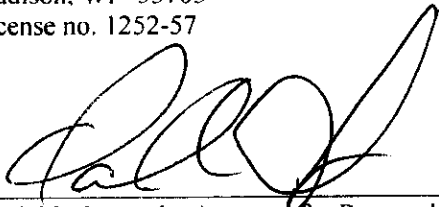
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Charlene J. Kavanagh, Respondent

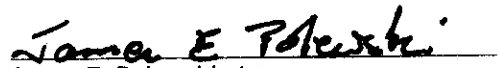
206 Ozark Trail  
Madison, WI 53705  
License no. 1252-57

07/21/15  
Date



Daniel L. Icenogle, Attorney for Respondent  
Icenogle & Associates, LLC  
S7563 Riley Road  
Readstown, WI 54652

7/21/2015  
Date

  
James E. Polewski, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

July 31, 2015  
Date