

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
DIANE L. LONDON, :
RESPONDENT. :

0004864

Division of Legal Services and Compliance Case No. 15 CPC 006

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

Diane L. London
P.O. Box 93
Rothschild, WI 54474-0093

Professional Counselor Section of the Wisconsin Marriage and Family Therapy,
Professional Counseling, and Social Work 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 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 Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Diane L. London, DOB April 14, 1965, is licensed in the state of Wisconsin to practice professional counseling, having license number 3135-125, first issued on September 17, 2002 and current through February 28, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is P.O. Box 93, Rothschild, Wisconsin 54474-0093.

2. At all times relevant to this proceeding, Respondent was self-employed as a professional counselor in Wausau, Wisconsin.

3. In 2011, Respondent first provided counseling to Child A, who alleged that another child, Child B, had sexually abused Child A on multiple occasions. Respondent reported the allegations to authorities twice. The allegations were investigated; no legal action was taken against Child B, nor were services offered.

4. Respondent never examined, evaluated, interviewed or provided counseling to Child B.

5. In October 2014, Child B transferred to a small parochial school that Respondent's child attended. Respondent deduced that Child B was the child that allegedly abused Child A.

6. On October 28, 2014, Respondent contacted the principal at the school.

7. Respondent, without specifying Child B's name, gave the principal information sufficient to allow the principal to identify Child B. Respondent cautioned that there should be increased adult supervision particularly in locker rooms.

8. The school administration spoke thereafter to Child B's parents, reviewed an opinion from a mental health professional who evaluated Child B, and considered statements of Child B's former teachers. The administration did not speak with or interview Child B. The school administration determined that no caution or extra oversight was necessary regarding Child B's interactions with other children.

9. Respondent later told another parent or parents that they needed to use caution when their children interacted with Child B.

10. Child B's parents indicated that his peers heard gossip from their parents and others surrounding the sexual allegations. Children ostracized Child B and his well-being suffered as a result.

11. Respondent told Division of Legal Services and Compliance investigators that she believed Child A's allegations and opined that Child B was at "a very high risk for reoffending."

12. Respondent denies that she has engaged in unprofessional conduct. Respondent obtained oral consent from Child A's parent to share information with the school principal. She explains that she provided the information concerning Child B to the school principal because she had a genuine concern for children's safety. She struggled with the question of whether or not to share the information, and consulted with another colleague before doing so. Respondent denies that she specifically identified Child B to parents and believes that other parents drew their own conclusions that Child B was the child at issue.

13. Without admitting any wrong-doing, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 457.26(2), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Diane L. London engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(22), by drawing conclusions about Child B based only upon reports of Client A, and by sharing sufficient information to allow Client B to be identified as a potential risk to other children.

3. As a result of the above violations, Diane L. London is subject to discipline pursuant to Wis. Stat. § 457.26(2)(g).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Diane L. London is REPRIMANDED.

3. Within ninety (90) days from the date of this Order, Diane L. London shall pay COSTS of this matter in the amount of \$2,688.74.


4. 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

5. 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 in its discretion 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 submit payment of costs as ordered, Respondent's license (no. 3135-125) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs.

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

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

by: 
A Member of the Section
Michael J. Bernat, Chief Legal Counsel

8/3/16
Date

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

Diane L. London, L.P.C.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0004864

Division of Legal Services and Compliance Case No. 15 CPC 006

Respondent Diane L. London, L.P.C., 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 investigation by the
Division of Legal Services and Compliance. 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 Patricia Epstein Putney.

4. Respondent agrees to the adoption of the attached Final Decision and Order by
the Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional
Counseling and Social Work Examining Board (Section). The parties to the Stipulation consent
to the entry of the attached Final Decision and Order without further notice, pleading, appearance

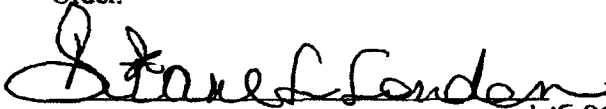
Counseling and Social Work Examining Board (Section). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Section's order, if adopted in the form as attached.

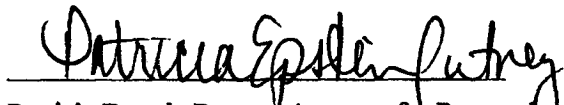
5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Section, the parties agree not to contend that the Section 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 Section ever assigned as an advisor in this investigation may appear before the Section 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 Section may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Section should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Section adopt this Stipulation, the Section'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 Section adopt this Stipulation and issue the attached Final Decision and Order.

 6.14.16
Date HSMFT, LDC
Diane L. London, L.P.C., Respondent
P.O. Box 93
Rothschild, WI 54474-0093
License no. 3135-125

 6/15/16
Date
Patricia Epstein Putney, Attorney for Respondent
44 E. Mifflin St.
Madison, WI 53703

 6/16/16
Date
Sandra L. Nowack, Attorney
State Bar No. 1025643
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
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