

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF THE LICENSE OF :
: FINAL DECISION AND ORDER
KENNETH R. SANN, L.C.S.W., C.S.A.C., I.C.S., : FOR REMEDIAL EDUCATION
LICENSEE. : **0005824**

Division of Legal Services and Compliance Case No. 16 SOC 060

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

Kenneth R. Sann, L.C.S.W., C.S.A.C., I.C.S.
508 Clinton Street
Green Bay, WI 54303

Social Worker 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 Social Worker 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. Licensee Kenneth R. Sann, L.C.S.W., C.S.A.C., I.C.S., (DOB June 24, 1963) is certified in the state of Wisconsin to practice advanced social work, having certificate number 128950-121, first granted on October 30, 2013, and current through February 28, 2019. Licensee is further licensed in the state of Wisconsin to practice clinical social work, having license number 8725-123, first granted on April 18, 2017, and current through February 28, 2019. Licensee was certified in the state of Wisconsin to practice social work, having certificate number 2221-120, first granted on November 24, 1993. This certificate expired on February 28, 2015, and has not

been renewed. Pursuant to Wis. Stat. § 440.08(3), Licensee retains the right to renew upon payment of a fee until February 27, 2020.¹

2. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 508 Clinton Street, Green Bay, Wisconsin 54303.

3. At all times relevant to this proceeding, Licensee owned and operated, and acted as supervisor, at a counseling clinic (the "Clinic") located in Green Bay, Wisconsin.

4. A Wisconsin county (the "County") conducted OWI assessments of various individuals who were convicted of operating while intoxicated. After the assessment was completed, the County referred such individuals to various entities who provided alcohol and drug abuse education services (also known as an eight (8) week AWARE program). The County referred some of these individuals to the Licensee and his Clinic. A counselor who worked for the Licensee and his Clinic, conducted the AWARE program for individuals referred to the Clinic by the County.

5. The AWARE program was a mandatory requirement and/or condition related to the individual's conviction for operating while intoxicated. As such, the County required entities who provided the AWARE program to County referrals, to also provide the County with progress reports and/or client files for each referral.

6. On September 30, 2016, the County requested Licensee to produce progress reports and/or client files for individuals referred by the County to the Licensee and his Clinic for the six (6) month period prior to September 2016.

7. Licensee produced some information, but did not fully respond to the request. Documentation regarding several patients was missing or incomplete.

8. On October 3, 2016, the County requested Licensee to produce the missing information.

9. Licensee produced some additional information, but still did not fully respond to the request. Documentation regarding several patients remained missing or incomplete.

10. According to the County, the records provided by Licensee were all dated September 30, 2016.

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

¹ Licensee is further certified in the state of Wisconsin to practice clinical substance abuse counseling, having certificate number 1722-132, first granted on April 16, 1993, and current through February 28, 2019. Licensee is further licensed in the state of Wisconsin to practice intermediate clinical supervision, having certification number 11921-134, first granted on March 13, 2001, and current through February 28, 2019.

CONCLUSIONS OF LAW

1. The Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Licensee Kenneth R. Sann, L.C.S.W., C.S.A.C., I.C.S., (certificate number 128950-121, certificate number 2221-120, and license number 8725-123) must comply with all the requirements of the Final Decision and Order entered in the Division of Legal Services and Compliance Case Number 16 RSA 037 as quoted in part below:

2. *Within six (6) months of the date of this Order, Kenneth R. Sann, L.C.S.W., C.S.A.C., I.C.S., (certificate number 1722-132 and certificate number 11921-134) shall at his own expense take and successfully complete four (4) hours of education on the topic of maintaining client files as follows:*

- a. *Each course attended in satisfaction of this Order must be pre-approved by the Department or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Department or its designee and for obtaining the required approval of the courses from the Department or its designee. Licensee must take and pass any exam offered for the course(s).*
- b. *Licensee shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.*
- c. *None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Department.*

3. Request for approval of courses and proof of successful course completion shall be sent by Licensee 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

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

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

by: Gary Winkler (D-)
A Member of the Section

7/24/18
Date

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

IN THE MATTER OF THE LICENSE OF :
: STIPULATION
KENNETH R. SANN, L.C.S.W., C.S.A.C., I.C.S., :
LICENSEE. : **0005824**

Division of Legal Services and Compliance Case No. 16 SOC 060

Licensee Kenneth R. Sann, L.C.S.W., C.S.A.C., I.C.S., 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. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education by the Social Worker 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 for Remedial Education without further notice, pleading, appearance or consent of the parties. Licensee 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 Licensee or Licensee'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 for Remedial Education.

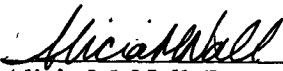
7. Licensee is informed that should the Section adopt this Stipulation, the Section's Final Decision and Order for Remedial Education is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Licensee in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order for Remedial Education.



Kenneth R. Sann, L.C.S.W., C.S.A.C., I.C.S., Licensee
508 Clinton Street
Green Bay, WI 54303
License no. 8725-123
Certificate no. 128950-121

2-27-18
Date



Alicia M. Nall, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

3/2/18
Date