

## 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

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
ROSEMARY O'CONNOR, L.P.C., C.S.A.C. :  
RESPONDENT. : **ORDER U007042**

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Division of Legal Services and Compliance Case No. 18 CPC 070

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

Rosemary O'Connor, L.P.C., C.S.A.C.  
Mequon, WI 53092

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 Rosemary O'Connor, L.P.C., C.S.A.C., (DOB XX/XX/1941) is licensed in the state of Wisconsin to practice professional counseling, having license number 1317-

125, first issued on May 11, 1994, and current through February 28, 2021.<sup>1</sup> Respondent's most recent address on file with the Department is located in Mequon, Wisconsin 53092.

2. At all times relevant to this matter, Respondent was employed as a professional counselor and substance abuse counselor in Wisconsin.

3. The Department received a complaint that alleged Respondent was seeing Patient A (a minor) without his mother's knowledge and that Patient A's mother had been unable to obtain Patient A's records.

4. Respondent denies the allegations.

5. There has been no determination by the Section that Respondent violated any applicable rules or statutes as alleged.

6. Prior to the filing of the complaint in this matter, and unrelated to the complaint, Respondent retired from practice. As such, Respondent desires to surrender her license to practice professional counseling in Wisconsin.

7. In resolution of this matter, Respondent consents to 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).

#### ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of the license to practice professional counseling in the state of Wisconsin issued to Respondent (license no. 1317-125) is hereby accepted.

3. In the event Respondent petitions the Section for reinstatement of her license as a professional counselor in the future, the Section may enter an order denying such petition without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license shall be in the discretion of the Section.

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<sup>1</sup> Respondent is also certified in the state of Wisconsin to practice substance abuse counseling, having certification number 1156-132, first issued on April 22, 1988, and current through February 28, 2021. Respondent is also certified in the state of Wisconsin as an intermediate clinical supervisor, having certification number 12109-134, first issued on June 27, 2001, and current through February 28, 2021.

4. In the event Respondent petitions the Section for reinstatement of her professional counselor license in the state of Wisconsin or applies for another credential with this Department, Respondent shall pay the costs of this matter in the amount of \$403.00.

5. 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

10/13/2020  
Date

RECEIVED

JUL 9 2020

DIV LEGAL SERVICES & COMPLIANCE  
DEPT SAFETY & PROFESSIONAL SERVICES

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 THE LICENSE OF :

ROSEMARY O'CONNOR, L.P.C., C.S.A.C., :  
RESPONDENT. :

STIPULATION

ORDER U007042

Division of Legal Services and Compliance Case No. 18 CPC 070

Respondent Rosemary O'Connor, L.P.C., C.S.A.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.

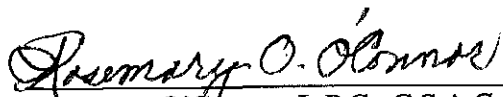
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Board (Section). The parties to the Stipulation consent to the entry of the attached Final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

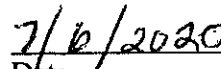
5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted 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'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.

  
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Rosemary O'Connor, L.P.C., C.S.A.C., Respondent  
Mequon, WI 53092  
License No. 1317-125

  
\_\_\_\_\_  
Date

  
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Carley J. Peich Kiesling, Attorney  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

08/03/2020  
\_\_\_\_\_  
Date