

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION
BOARD OF MARRIAGE THERAPY

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

Case No. 0094449

v.

FRANK D. LAVECCHIA,

Respondent.

ADMINISTRATIVE COMPLAINT

COMES NOW, the Petitioner, Department of Professional Regulation, hereinafter referred to as "Petitioner," and files this Administrative Complaint before the Board of Marriage Therapy against Frank D. Lavecchia, hereinafter referred to as "Respondent", and alleges:

1. Petitioner is the state agency charged with regulating the practice of Marriage Therapy pursuant to Section 20.30, Chapter 455, and Chapter 491, Florida Statutes.

2. Respondent is, and has been at all times material hereto a licensed Marriage and Family Therapist, license number MT 245, whose address of record is 11430 N. Kendall Drive #104 Miami, Florida 33176.

3. In Spring of 1986, Respondent was conducting therapy sessions with patient S.L., at that time a fifteen (15) year-old, for drug addiction.

4. In June or July, 1986, during one of the sessions conducted by Respondent, S.L. reported instances of sexual abuse which had been committed on her by her ex-stepfather.

5. The Respondent failed to report the above incidents to the Florida Department of Health and Rehabilitative Services as required by Section 415.504(1), Florida Statutes.


6. Upon investigation, it was determined that the Respondent was unable to locate, and is still unable to locate his records in reference to the patient, S.L.

7. Based on the foregoing, Respondent violated Section 490.009(2)(s) by failing to meet the minimum standards of performance in professional activities.

WHEREFORE, Petitioner respectfully requests the Board of Marriage Therapy to enter an order imposing one or more of the following penalties: Revocation or suspension of the Respondent's practice, imposition of an administrative fine, and/or any other relief which the Board may deem appropriate.

SIGNED this 11th day of March, 1988.

Tom Gallagher
Secretary


BY: Charles F. Tunnicliff
Chief Attorney

COUNSEL FOR DEPARTMENT:

Laura P. Gaffney
Senior Attorney
Department of Professional
Regulation
130 North Monroe Street
Tallahassee, FL 32399-0750

LPG/wda

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL
REGULATION,

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vs.

Case No. 0094449

FRANK D. LAVECCHIA,

Respondent
_____ /

STIPULATION

Pursuant to Section 120.57 (3), Florida Statutes, the above-named parties hereby offer this Stipulation to the Board of Marriage Therapy as disposition of the Administrative Complaint attached hereto as Exhibit "A", in lieu of any other Administrative proceedings. The terms herein become effective only if and when a Final Order accepting this Stipulation is issued by the Board and filed. In considering this Stipulation, the Board may review all investigative materials regarding this case. If this Stipulation is rejected, it, and its presentation to the Board, shall not be used against either party.

STIPULATED FACTS

1) Respondent DOES NOT CONTEST the allegations contained in the administrative complaint.

2) For all times pertinent herein, respondent was a licensed Marriage Therapist in the State of Florida, having been issued license number MT 245.

STIPULATED LAW

3) Respondent ADMITS that the Stipulated Facts, if true, constitute violations of law as charged in the Administrative Complaint.

EXHIBIT A

PROPOSED DISPOSITION

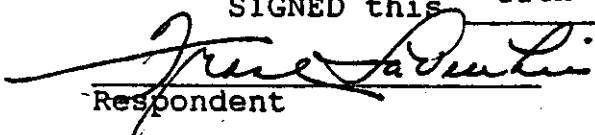
4) Respondent shall be reprimanded by the board.

5) The board shall impose an Administrative fine of \$500 against Respondent, which shall be paid by Respondent to the Executive Director of the Board of Marriage Therapy within thirty (30) days of the filing of a Final Order accepting this Stipulation.

6) Respondent shall refrain from violating the provisions of chapters 455 and 491, Florida Statutes, as set forth in the Administrative complaint or in any other manner.

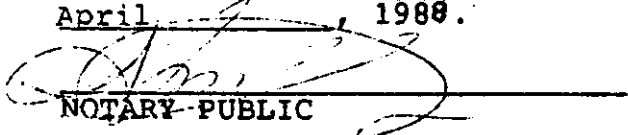
WHEREFORE, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.

SIGNED this 11th day of April, 1988.


Respondent

4-11-88
Date Signed


Sworn to and subscribed before me this 11th day of April, 1988.


NOTARY-PUBLIC

My Commission expires:
NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. MAY 11, 1991
BOND NO. 8800 GENERAL INS. AND

APPROVED this 15th day of April, 1987.

Tom Gallagher
Secretary


BY: Charles F. Tunnick
Chief Attorney
Allied Health Services

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION
BOARD OF CLINICAL SOCIAL WORK, MARRIAGE
AND FAMILY THERAPY AND MENTAL HEALTH COUNSELING

FILED

Department of Professional Regulation
AGENCY CLERK

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

vs.

FRANK D. LAVECCHIA,

Respondent.

CLERK *M. James*

DATE *8-4-88*

DPN CASE NO.: 94449
LICENSE NO.: MT 245

RECEIVED

AUG 22 1988

FINAL ORDER OF THE **PSYCHOLOGY / MASSAGE**
BOARD OF CLINICAL SOCIAL WORK, MARRIAGE AND
FAMILY THERAPY AND MENTAL HEALTH COUNSELING

This matter came before the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling pursuant to Section 120.57(3), Florida Statutes, on July 21, 1988, in Tallahassee, Florida, for consideration of a Stipulation (attached as Exhibit A) entered into between the parties. Petitioner was represented by Laura P. Gaffney, Esquire. Respondent was not present and was not represented by counsel. Upon consideration of the Stipulation, the documents submitted in support of it, and the arguments,

IT IS ORDERED that the Stipulation as submitted is adopted and incorporated by reference. Accordingly, the parties shall abide by all of the terms and conditions of the Stipulation. In


addition, the Stipulation is corrected to reflect that the correct name of the Board is the "Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling," rather than the "Board of Marriage Therapy."

THIS ORDER TAKES EFFECT UPON FILING with the Clerk of the agency.

THE PARTIES ARE NOTIFIED, pursuant to Section 120.59, Florida Statutes, that they may appeal this Final Order by filing, within thirty (30) days of the filing date of this Order, a notice of appeal with the Clerk of the agency and a copy of the notice of appeal, accompanied by filing fees prescribed by law, with the District Court of Appeal.

ORDERED this 2nd day of AUGUST, 1988.

BOARD OF CLINICAL SOCIAL WORK,
MARRIAGE AND FAMILY THERAPY
AND MENTAL HEALTH COUNSELING



John Nestor, Ph.D
Chairperson