

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

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|                                  |   |                          |
|----------------------------------|---|--------------------------|
| IN THE MATTER OF                 | : |                          |
| DISCIPLINARY PROCEEDINGS AGAINST | : |                          |
|                                  | : | FINAL DECISION AND ORDER |
| DAVID D. DROVER,                 | : | LS0811241RSA             |
| RESPONDENT.                      | : |                          |

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Division of Enforcement Case # 08 RSA 017

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

David D. Drover  
1730 E. Longview Dr., Apt. 3  
Appleton, WI 54911

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Regulation & Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Secretary of the Department of Regulation and Licensing. The Secretary has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Secretary adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. David D. Drover (DOB 09/06/1953) is duly certified as a Clinical Substance Abuse Counselor in the State of Wisconsin (certificate # 132-1851). This certificate was first granted on August 19, 1994.
2. Respondent's most recent address on file with the Department of Regulation and Licensing is 1730 E. Longview Drive, Apartment 3, Appleton, Wisconsin, 54911.
3. Respondent was convicted on April 27, 2007 of Possession of THC.
4. Respondent was convicted on February 18, 2008 of Disorderly Conduct.
5. Respondent entered into inpatient treatment in June of 2008. Respondent’s treatment records indicate that he has a diagnosis of alcohol dependence, opiate dependence in full remission, and cannabis abuse.

CONCLUSIONS OF LAW

1. The Secretary of the Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter, pursuant to Wis. Stat. § 440.88(6), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 3-5 above constitutes a violation of Wisconsin Administrative Code § RL 164.01(2)(b) and (h) and Counselor Code of Conduct Rule 2.6, 3.2 and 7.3, and subjects Respondent to discipline pursuant to Wis. Stat. § 440.88(6).

### ORDER

#### IT IS ORDERED:

1. The stipulation of the parties is approved.

2. The secretary accepts the surrender of David Drover's Clinical Substance Abuse Counselor certificate.

3. In the event that Respondent applies for a Wisconsin credential as a substance abuse professional in the future, Board will enter an order denying such application without further notice or hearing.

4. Respondent shall pay costs of Six Hundred Dollars (\$600.00) to the Department of Regulation and Licensing, within ninety (90) days of this Order.

5. This Order shall become effective upon the date of its signing.

Department of Regulation and Licensing

By: Celia Jackson, Secretary

11/24/08

Date

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

|                                  |   |             |
|----------------------------------|---|-------------|
| IN THE MATTER OF                 | : |             |
| DISCIPLINARY PROCEEDINGS AGAINST | : |             |
|                                  | : | STIPULATION |
| DAVID D. DROVER,                 | : | LS# _____   |
| RESPONDENT.                      | : |             |

Division of Enforcement Case # 08 RSA 017

David D. Drover, personally on his own behalf; and Jeanette Lytle, attorney for the Department of Regulation and Licensing, Division of Enforcement, stipulate:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's Clinical Substance Abuse Counselor certificate by the Division of Enforcement (case # 08 RSA 017). Respondent consents to the resolution of this investigation by stipulation.
2. Respondent understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, 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 him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; 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 him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Respondent has been provided an opportunity to obtain the advice of legal counsel prior to signing this stipulation.
4. Respondent agrees to voluntarily surrender his Clinical Substance Abuse Counselor certificate. Respondent agrees that he will not apply for a Wisconsin credential as a substance abuse professional at any time in the future. In the event that Respondent does in fact apply for a Wisconsin credential as a substance abuse professional, the Board may deny that application based upon this stipulation, without further notice or hearing, and Respondent hereby expressly waives all rights to a hearing on any such denial.
5. Respondent agrees to the adoption of the attached Final Decision and Order by the Secretary of the Department of Regulation and Licensing. 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 Secretary's order, if adopted in the form as attached.
6. If the terms of this Stipulation are not acceptable to the Secretary, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Secretary, the parties agree not to contend that the Secretary has been prejudiced or biased in any manner by consideration of this attempted resolution.
7. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement may appear before the Secretary, without the presence of the Respondent or his attorney, for purposes of speaking in support of this agreement and answering questions that the Secretary may have in connection with the Secretary's deliberations on the Stipulation.
8. Respondent is informed that should the Secretary adopt this Stipulation, the Secretary's final decision and order is a public record and will be published in accordance with standard Department procedure.
9. The Division of Enforcement joins Respondent in recommending the Secretary adopt this Stipulation and issue

the attached Final Decision and Order.

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|------------------------------|-------|
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| David D. Drover              | Date  |
| 1730 E. Longview Dr., Apt. 3 |       |
| Appleton, WI 54911           |       |

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|--|-------|
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| Jeanette Lytle, Attorney                         | Date  |
| Division of Enforcement                          |       |
| Wisconsin Department of Regulation and Licensing |       |
| P.O. Box 8935                                    |       |
| Madison, WI 53708-8935                           |       |