

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JOSE ROBLES,	:	
RESPONDENT.	:	

ORDER 0001123

[Division of Enforcement Case # 11 RSA 003]

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

Jose Robles
2489 9th Place
Milwaukee, WI 53215

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The Division of Enforcement filed the complaint that became DHA case SPS-11-0077 on August 23, 2011. Administrative Law Judge Amanda Tollefsen was assigned to the case. Respondent Jose Robles timely filed an Answer. The parties reached a resolution, and presented it to the Department for its consideration. The Department considers the resolution acceptable, and makes the following:

FINDINGS OF FACT

1. Jose Robles ("Respondent") was born on November 13, 1963 and was licensed to practice as a substance abuse counselor-in-training in the State of Wisconsin (license #15606-130). This license was first granted on July 21, 2008 and expired on February 28, 2011. Pursuant to Wis. Stat. § 440.88(3), Respondent retains the right to renew his license upon payment of a fee until February 28, 2016.
2. Respondent's most recent address on file with the Department of Safety and Professional Services is 2489 S. 9th Place, Milwaukee, Wisconsin.

3. At all times relevant to this proceeding, Respondent was working as a substance abuse professional at the Recovery Network, Inc., located in Milwaukee, Wisconsin.

4. On December 1, 2010, Client J.F. presented to Respondent's residence for a urinalysis test. Respondent purported to conduct the urinalysis, which he certified on Recovery Network's letterhead.

5. Respondent received compensation for the urinalysis test.

6. Respondent is not trained, licensed, or otherwise qualified to perform laboratory assays for any purpose under his substance abuse counselor-in-training credential.

7. Since January 2011, Recovery Network has discovered other individuals who received their urinalysis testing at Respondent's residence. Respondent failed to report to work on January 3, 2011 and Recovery Network has been unable to contact Respondent since.

8. For an unknown period of time prior to January 2011, Respondent purportedly conducted anger management and AODA treatment groups at his residence.

9. Respondent was not authorized to conduct AODA treatment groups by his employer.

10. Respondent does not have the necessary credentials, education or skills to conduct anger management treatment groups.

11. Respondent denies that he conducted urinalysis outside of Recovery Network facilities, or that he received compensation other than his wages. Respondent also denies that any treatment groups were conducted at his residence. However, in order to avoid the expenses, hazards, and uncertainties of litigation, and intending to change careers, Respondent has tendered the resignation of his license.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction over this matter pursuant to Wis. Stat. § 440.88 and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

ORDER


NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The Department accepts the resignation and surrender of Respondent's license.

2. Within 90 days of the date of this Order, Respondent shall pay costs of the proceeding in the amount of ONE HUNDRED SEVENTY-FIVE DOLLARS (\$175.00).

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By 
Michael J. Berndt, General Counsel
On behalf of the Department

9/27/11
Date