

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN THE MATTER OF THE APPLICATION
FOR A CERTIFICATE TO PRACTICE AS
A FUNERAL DIRECTOR APPRENTICE

DYLAN J. ZALEWSKI,
APPLICANT

ORDER GRANTING LIMITED CERTIFICATE TO
PRACTICE AS A FUNERAL DIRECTOR APPRENTICE

ORDER 0001282

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

Dylan J. Zalewski
5231 Millbank Road
Greendale, WI 53129

Department of Safety and Professional Services
1400 East Washington Ave.
Madison, WI 53707

FINDINGS OF FACT

1. Dylan J. Zalewski (Applicant) has filed an application for a credential to practice as a funeral director apprentice in the State of Wisconsin.
2. Information received in the application process reflects that on or about January 31, 2011, Applicant was convicted of violating Wis. Stat. §943.20(1)(a), *Theft – Moveable Property* and Wis. Stat. §943.01(1), *Criminal Damage to Property*.
3. That limitations upon the license of the Applicant is necessary to ensure that he is competent to act in a manner which safeguards the interests of the public.

CONCLUSIONS OF LAW

1. The Wisconsin Funeral Directors Examining Board has jurisdiction over this matter pursuant to ch. 445 of the Wisconsin Statutes.
2. The facts and circumstances of the convictions referenced above substantially relate to the practice of a funeral director apprentice. Applicant, by his conduct, is subject to action against his license pursuant to Wis. Stat. §§445.12(1).

ORDER

NOW THEREFORE, IT IS ORDERED that, DYLAN J. ZALEWSKI, is GRANTED a CERTIFICATE TO PRACTICE AS A FUNERAL DIRECTOR APPRENTICE, subject to the following LIMITATIONS, TERMS AND CONDITIONS:

1. Applicant shall notify his licensed funeral director employer of his history of convictions prior to employment, and shall provide a copy of this Order to supervisory personnel at all settings where Applicant works as a funeral director apprentice.
2. Applicant shall commit no new violations of law, and shall report all law enforcement contacts leading to arrest, charge or conviction to the Department Monitor within 48 hours of any such event.
3. Applicant shall comply with all terms and conditions of his probation/parole imposed upon him and shall make arrangements with his probation agent to immediately notify the Department Monitor of any violation of probation/parole terms.
4. Applicant shall make arrangements for submission of quarterly reports from his probation/parole officer acknowledging that there has been no violation of terms of probation and attesting to the status of his participation in probation/parole.
5. During, and immediately leading up to, all working hours, Applicant shall abstain from all personal use of alcohol and controlled substances defined in § 961.01(4), Stats., except when prescribed, dispensed or administered by a practitioner for a legitimate medical condition.
6. The Department reserves the right, based upon reports received, to require Applicant, upon notification by the Department Monitor, to enter into and maintain participation in a program of treatment for drug and alcohol abuse/dependency through completion and discharge from treatment. Applicant shall cooperate with and follow all treatment recommendations of his treatment providers. Upon discharge, Respondent shall submit a copy of his discharge summary to the Department Monitor.
7. If treatment is required, Applicant shall provide his treatment provider(s) with a copy of this Order. Applicant is responsible for ensuring that his treatment provider submits formal written reports to Department Monitor on a quarterly basis. These reports shall assess Applicant's progress, compliance and cooperation in the applicable program. The treatment providers shall report immediately to the Department Monitor any violation or suspected violation of this Order.
8. Applicant may petition the Department for modification of the terms of this Order after he is successfully discharged from probation/parole. Applicant's petition must include his history of employment from the effective date of this Order, and state the dates and names of any employer. Any such petition shall be accompanied by a written recommendation from Applicant's current employer that includes, among other things, the dates of employment and scope of responsibility during such employment, and (if applicable) his treatment provider expressly supporting the specific modifications sought. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stats. §§ 227.01(3), or 227.42, or Wis. Admin. Code Ch. RL 1, and shall not be subject to any right to further hearing or appeal.

Zalewski, Dylan J.
Funeral Directors Examining Board
Order Granting Limited License

9. Applicant shall be responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify Department Monitor of any suspected violations of any of the terms and conditions of this Order.
10. Applicant shall be responsible for all costs and expenses incurred in conjunction with or associated with compliance with the terms of this Order.
11. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's certificate. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order

This Order is effective upon the date signed below.

Dated this 14th day of December, 2011

Wisconsin Funeral Directors Examining Board

by JS/Kristen Piehl - JS.
Kristen Piehl, a Member of the Board