

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
PATRICIA L. GRAY, :  
RESPONDENT. : **ORDER 0001287**

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[Division of Enforcement Case # 11RSA018]

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

Patricia L. Gray  
3811 South Miner Street, Apt. #5  
Greenfield, WI 53221

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

The parties in this matter agree to the terms of the attached Stipulation as the final decision of this matter, subject to the approval of the Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Patricia L. Gray ("Respondent") was born on February 7, 1960 and is certified as a Wisconsin substance abuse counselor-in-training (certificate #15653-130). This certificate was first granted on October 13, 2008.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services is 3811 South Miner Street, Apt. #5, Greenfield, WI 53221.

3. At all times relevant to this case, Respondent was employed as a substance abuse counselor-in-training at IMPACT, Inc., located in Milwaukee, Wisconsin.

4. On February 8, 2010, at approximately 2 a.m., Respondent was pulled over by the Village of Greendale Police for driving the wrong way on a divided highway. The police officer approached Respondent and observed that she had a dazed look, glassy bloodshot eyes, slurred speech and a moderate odor of intoxicants on her breath.

5. The police officer suspected Respondent had been drinking, and asked her to perform a field sobriety test. Respondent failed the field sobriety test. A preliminary breath test of Respondent displayed her blood alcohol concentration at .21%. As a result of the failed field sobriety test and the blood alcohol concentration, Respondent was arrested for operating while intoxicated.

6. At the police station, Respondent was instructed to provide an adequate breath sample for the Intoximeter EC/IR. Respondent submitted several insufficient breath samples, therefore the test was counted as a refusal.

7. On March 25, 2010, Respondent was found guilty due to a no contest plea of operating while intoxicated at the municipal court in the Village of Greendale. Respondent was ordered to pay costs of \$794.00 and to attend an education course on traffic safety.

#### CONCLUSIONS OF LAW

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

2. Respondent's conduct of violating any law or rule substantially related to the practice as a substance abuse counselor-in-training constitutes a violation of Wis. Admin. Code § RL 164.01(2)(b), and subjects Respondent to discipline pursuant to Wis. Stat. § 440.88(6).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent Patricia L. Gray (certificate #15653-130) is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of \$520.00 (five hundred twenty dollars). Payment shall be made payable to the Department of Safety and Professional Services and sent to:

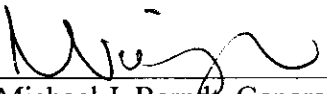
Department Monitor  
Department of Safety and Professional Services  
Division of Enforcement  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 267-3817  
Fax (608) 266-2264

3. 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 Respondents' certificate to practice as a substance abuse counselor-in-training in the state of Wisconsin. The Department 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. In the event Respondents fail to comply with payment of costs, Respondents' certificate to practice in the state of Wisconsin may, in the discretion of the Department, be SUSPENDED, without further notice or hearing, until Respondent has complied with all the terms and conditions of this Order.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By:

  
\_\_\_\_\_  
Michael J. Berner, General Counsel  
On behalf of the Department

12/23/11  
\_\_\_\_\_  
Date