

## 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 APPLICATION :  
FOR CERTIFICATION OF :

KEVIN G. RICH, :

APPLICANT. :

ORDER 0001904

ORDER GRANTING SAC-IT CERTIFICATION SUBJECT TO LIMITATIONS

The Department of Safety and Professional Services, accepts the stipulation entered into by the applicant and accordingly makes the following findings and order, based upon the information of record:

FINDINGS OF FACT

1. Kevin G. Rich, the applicant herein, whose date of birth is February 2, 1960, has submitted an application for a Substance Abuse Counselor-in-Training certificate (SAC-IT).
2. The applicant's current address is 2520 N. 23<sup>rd</sup> Street, Milwaukee, Wisconsin, 53206.
3. In his application for the SAC-IT certification, the applicant submitted form #2252, which disclosed that he is a felon with a lengthy criminal conviction record involving theft, burglary and possession of controlled substances. The applicant's most recent criminal conviction for Operating While Intoxicated occurred in November 2009.
4. The crime information bureau report indicates that the applicant has served his criminal sentences and is not currently under probation.
5. The applicant's file includes proof of his qualifications for the SAC-IT certification; including his completion of an Associate Degree in Human Services with an overall GPA of 3.5 and completion of the 100 hour specialized substance abuse disorder program.
6. The applicant's file contains form # 2770, Employment Verification for Supervised Substance Abuse Counselor Practice, which was signed by a qualified supervisor who meets the requirements to supervise the applicant's practice under the SAC-IT certification.
7. Although the circumstances of the applicant's criminal convictions are substantially related to the duties and responsibilities of the occupation or licensed activity performed under the SAC-IT certification, the applicant has submitted sufficient proof of rehabilitation to warrant approval of his application. However, the grant of the applicant's certification shall be subject to limitations and conditions intended to ensure that his practice will be consistent with the protection of the health, safety or welfare of the public.

## ORDER

NOW, THEREFORE, IT ORDERED that a limited Substance Abuse Counselor-in-Training certificate shall be GRANTED to the applicant, KEVIN G. RICH. The granting of the certification shall be contingent upon the applicant's compliance with the following requirements:

1. The applicant shall provide a copy this order to his current supervisor, Elzora Collins, Fokus Family Services, and arrange for his supervisor to submit quarterly work reports to the Department Monitor. The work reports shall confirm that the applicant is in compliance with the regulations governing the SAC-IT certification and that his work performance as SAC-IT is deemed satisfactory. The applicant further agreed that he shall report, or cause his supervisor to report any violations of law or non-compliance with rules governing the certification within seven (7) days of such occurrence.
2. If the applicant acquires a new supervisor before completing his practice hours under the SAC-IT, the new supervisor shall be pre-approved by the Department and shall assume the supervision and reporting requirements of this order.
3. The limitations imposed hereunder shall remain in effect until the applicant obtains his full substance abuse counselor certificate or one (1) year whichever is longer.
4. The Department may modify or terminate the limitations based on credible information received from the applicant or his supervisor. However no such petition for modification shall occur earlier than one (1) year from the date of this Order. Any such petition or request for modification shall be accompanied by a written explanation of the reasons and supporting documentation. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of §227.01(3)(a), Stats., and the applicant shall not have a right to any further hearings or proceedings on the denial.
5. Any work reports, requests, petitions and other information required by this Order to be submitted to the Department shall be mailed, e-mailed, faxed or delivered to:

Department Monitor  
Department of Safety and Professional Services  
1400 East Washington Ave., P.O. Box 8935  
Madison, WI 53708-8935  
Fax: (608) 266-2264, Telephone: (608) 267-3817  
[department.monitor@drl.state.wi.us](mailto:department.monitor@drl.state.wi.us)

7. The applicant's limited SAC-IT certification shall be subject to summary suspension for violation of the terms of the order. If the Department determines that there is good cause for summarily suspending the applicant's license, the summary suspension shall become effective upon:

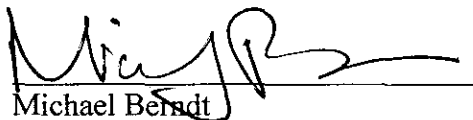
(a) Mailing to the applicant's last-known address provided to the Department pursuant to § 440.11, Stats., or

(b) Actual notice to the applicant or her attorney.

(c) The applicant may request a hearing on the imposition of the summary suspension, and such hearing shall be held using the procedures set forth in ch. RL 2, Wis. Adm. Code. The hearing shall be held in a timely manner with the evidentiary portion of the hearing being completed within sixty (60) days of receipt of the applicant's request, unless otherwise waived by the applicant. The request of a hearing does not stay the suspension during the pendency of the hearing process.

(d) After a hearing, or in lieu of a hearing, the Department or its designee may reinstate the certification, provided there is sufficient evidence that the applicant is in compliance with the Order and that continued suspension is not required to protect the health, welfare or safety of the public. The decision whether to reinstate the certification shall be wholly in the discretion of the Department or its designee. In addition to a summary suspension, the violation of any term of this Order may be the basis for a separate disciplinary action under § 441.07, Stats.

Dated at Madison, Wisconsin, this 9th day of July, 2012.

A handwritten signature in black ink, appearing to read "Michael Berndt", written over a horizontal line.

Michael Berndt  
Department of Safety and Professional Services