

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 APPLICATION FOR
SUBSTANCE ABUSE COUNSELOR-IN-
TRAINING FOR

DANIEL MARTINEZ,
APPLICANT.

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**ORDER GRANTING
LIMITED LICENSE**

ORDER 0002807

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

DANIEL MARTINEZ
1100 SOUTH 29TH ST.
MILWAUKEE WI 53215

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
1400 E. WASHINGTON AVENUE
P.O. BOX 8935
MADISON, WI 53708-8935

FINDINGS OF FACT

1. DANIEL MARTINEZ (Applicant) has filed an application for a credential to practice as a substance abuse counselor-in-training in Wisconsin.
2. Information received in the application process reflects the following convictions:
 - On 11/15/1977 – MANUF/ DELIVER SCHEDULE I, II NARCOTICS
 - On 01/29/1981 – PARTY TO THEFT - Accomplice
 - On 05/16/1990 – RETAIL THEFT
 - On 06/03/1992 – RETAIL THEFT
 - On 08/11/1997 – RETAIL THEFT
 - On 09/17/1997 – RETAIL THEFT
 - On 12/04/1997 – ROBBERY WITH USE OF FORCE-Accomplice
 - On 01/16/2003 – MANUFACTURE/ DELIVER COCAINE
 - On 03/01/2004 – RESISTING OR OBSTRUCTING AN OFFICER
 - On 05/08/2007 – RESISTING OR OBSTRUCTING AN OFFICER
 - On 08/30/2010 – CRIMINAL DAMAGE TO PROPERTY; THEFT-MOVABLE PROPERTY

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction over this matter pursuant to Wis. Stat. §440.88.
2. The facts and circumstances of the past convictions are substantially related to your request for licensure as a substance abuse counselor-in-training.

ORDER

NOW, THEREFORE, IT IS ORDERED that DANIEL MARTINEZ is GRANTED A SUBSTANCE ABUSE COUNSELOR-IN-TRAINING LICENSE subject to the following LIMITATIONS, TERMS AND CONDITIONS:

Practice Limitations

1. Applicant shall provide a copy of this Order to all prospective employers.
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.

Reporting Requirements

3. It is Applicant's responsibility to arrange for his supervisor(s) to provide work reports to the Department Monitor on a quarterly basis, as directed by Department Monitor. These reports shall describe the Applicant's activities and verify that he is in compliance with the laws governing the practice of a substance abuse counselor-in-training and the terms of this Order.
4. Applicant shall file with the Department quarterly reports at the direction of the Department Monitor commencing ninety (90) days after Applicant commences employment. Each report shall include the following:
 - a. The name, address and telephone number of Applicant, and name, address and telephone number of Applicant's employer;
 - b. A statement from the Applicant as to whether he has had any law enforcement contacts leading to arrest, charge or conviction (including DWI/OWI) during the term of the Order;

- c. Applicant shall report to the Department Monitor any change of employment status, residence, address or telephone number within five (5) days of the date of a change.
5. Applicant is 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 by Applicant.

DEPARTMENT MONITOR

6. The Department Monitor is the individual designated by the department as its agent to coordinate compliance with the terms of this Order. Any requests, petitions, reports or other information required by this Order shall be mailed, faxed or delivered to:

DEPARTMENT MONITOR
Department of Safety and Professional Services
Division of Legal Services & Compliance
1400 East Washington Ave., P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264
Telephone: (608) 267-3817

Petitions for Modification

7. Applicant may petition the Department Monitor for modification of the terms of this Order after completion of one year of practice in compliance with all terms and conditions of this Order. Applicant's petition must include Applicant's history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling one year of practice. 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. 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. SPS 1, and shall not be subject to any right to further hearing or appeal.


Costs

8. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

Summary Suspension/Additional Discipline

9. 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 Applicant's license. 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 that Applicant fails to submit quarterly reports as ordered, Applicant's license may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Applicant has complied with the terms of this Order.

Dated at Madison, Wisconsin this 25th day of November, 2013



Michael J. Berndt, Chief Legal Counsel
On behalf of the Department of
Safety and Professional Services

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF APPLICATION FOR
SUBSTANCE ABUSE COUNSELOR-IN-
TRAINING FOR

DANIEL MARTINEZ,
APPLICANT.


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STIPULATION

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ORDER 0002807

It is hereby stipulated between the above-referenced Applicant and the State of Wisconsin Department of Safety and Professional Services as follows:

The Applicant has filed an application for a substance abuse counselor-in-training. Information received by the Department reflects a basis for denial of the application for a credential. Based upon the information of record herein, the Department agrees to issue and the Applicant agrees to accept an Order Granting a Limited License as a substance abuse counselor-in-training subject to the terms and conditions set forth in the attached Order Adopting Stipulation.

Dated this 31 day of October, 2013


Daniel Martinez, Applicant

STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Dated this 25th day of November, 2013

By: 
Michael J Berndt, Chief Legal Counsel