

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 DISCIPLINARY
PROCEEDINGS AGAINST

ANNETTE P. LATENDER,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:
: **0004229**

Division of Legal Services and Compliance Case No. 15 RSA 012

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

Annette P. Latender
P.O. Box 202
Neopit, WI 54150

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin 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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Annette P. Latender (dob November 19, 1944) is certified in the state of Wisconsin to practice substance abuse counseling, having certification number 15188-132, first granted on November 9, 2006, and current through February 28, 2017. Respondent's most recent address on file with the Department is P.O. Box 202, Neopit, Wisconsin 54150.
2. At all times relevant to this proceeding, Respondent was employed as a substance abuse counselor at a wellness center, located in Gresham, Wisconsin.

3. The State of Wisconsin requires 40 hours of continuing learning education (CLE) every biennium to be certified as a substance abuse counselor.

4. During the March 2013 through February 2015 biennium, the Respondent only obtained 21 hours of CLE credits.

5. On July 15, 2015, Respondent's treatment director submitted to the Department a Certificate of Attendance showing that Respondent completed 24 hours of training from June 8 – 11, 2015.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

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 is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Respondent violated Wis. Admin. Code § SPS 168.01(1)(a), by failing to complete 40 credits of continuing education in the appropriate biennium.

3. Respondent, in failing to comply with the requirements of Wis. Admin. Code § SPS 168.01(1)(a), has engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(b).

4. As a result of the violations noted in the Conclusions of Law, Respondent Annette P. Latender is subject to discipline pursuant to Wis. Stat. § 440.88(6).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Annette P. Latender is REPRIMANDED.

3. The continuing education course taken by the Respondent from June 8 – 11, 2015 has been retroactively applied to the 2013 – 2015 biennium and may not be used to fulfill continuing education requirements for the 2015 – 2017 biennium.

4. Within ninety (90) days from the date of this Order, Respondent Annette P. Latender shall pay COSTS of this matter in the amount of \$150.00.

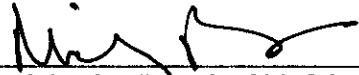
5. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

6. 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 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 Respondent fails to timely submit payment of costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's certificate (no. 15188-132) may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs and has submitted proof of successful completion of the ordered education.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: 

Michael J. Berndt, Chief Counsel
On Behalf of the Department

9/3/15

Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANNETTE P. LATENDER,
RESPONDENT.

:
:
: STIPULATION
:
:

0004229

Division of Legal Services and Compliance Case No. 15 RSA 012

Respondent Annette P. Latender and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Department of Safety and Professional Services (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Order, if adopted in the form as attached.


5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the

Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.


6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.


Annette P. Latender, Respondent
P.O. Box 202
Neopit, WI 54150
License no. 15188-132

8-24-15
Date


Cody Wagner, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

8/26/15
Date