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 A

SUBSTANCE ABUSE COUNSELOR-IN-TRAINING LICENSE

ORDER GRANTING LIMITED LICENSE

ADALIA JANSEN, APPLICANT.

ORDER 0007861

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

Adalia Jansen Kimberly, WI 54136

Department of Safety and Professional Services 4822 Madison Yards Way P.O. Box 8935 Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the resolution of this application. The Wisconsin Department of Safety and Professional Services (Department) adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

- 1. On or about April 23, 2021, Adalia Jansen (Applicant) filed an application (760894) for a Substance Abuse Counselor-in-Training license.
 - 2. Information received in the application process establishes the following:
 - A. On or about April 20, 2021, Applicant was subject to Final Decision and Order 7338 under her Professional Counselor-in-Training License #2252-226.
- 3. The facts and circumstances of this Final Decision and Order include, but are not limited to, the following:
 - A. As a Professional Counselor-in-Training, Applicant failed to maintain adequate records relating to services provided to a client in the course of a professional relationship.

- B. Applicant was reprimanded, required to undergo a fitness to practice assessment, submit quarterly employer reports, and pay costs.
- C. On July 20, 2021, the Department Monitor reported that upon reviewing Applicant's fitness to practice evaluation, the Board Liaison chose to institute no additional license limitations.
- 4. In resolution of this matter, Applicant consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

- 1. The Department of Safety and Professional Services (Department) has jurisdiction over 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. Pursuant to Wis. Stat. § 440.88(6) and Wis. Admin. Code § SPS 164.01(2), the Department may deny or limit any Substance Abuse Counselor-in-Training credential for any unprofessional conduct, incompetence, or professional negligence. Unprofessional conduct is comprised of "any practice or behavior that violates the minimum standards of the profession necessary for the protection of the health, safety, or welfare of a patient or the public."
- 3. The facts and circumstances of the above-referenced Final Decision and Order are substantially related to the practice of a Substance Abuse Counselor-in-Training.
- 4. As a result of the above Findings of Fact and Conclusions of Law, Applicant's Substance Abuse Counselor-in-Training license is subject to limitations or denial, pursuant to Wis. Stat. § 440.88(6) and Wis. Admin. Code § SPS 164.01(2).

ORDER

- 1. The attached Stipulation is accepted.
- 2. Applicant's application for a Substance Abuse Counselor-in-Training license is granted subject to the following limitations.
- 3. Applicant's ability to practice as a Substance Abuse Counselor-in-Training is LIMITED for a period of at least two years from the date of this Order as follows:

A. Practice Limitations

Applicant shall show a copy of this Order to her current and any future employer(s). Applicant shall provide the Department of Safety and Professional Services Monitor (Department Monitor) with written acknowledgement from each employer that a copy of this Order has been received. Such acknowledgement shall be provided to the Department Monitor within fourteen (14) days of beginning new

employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.

B. Reporting Requirements

- i. Applicant shall arrange for written reports from her Substance Abuse Counselor-in-Training supervisor(s) to be provided to the Department Monitor on a quarterly basis, beginning ninety (90) days from the date of this Order. These reports shall describe the circumstances of Applicant's employment, assess her work performance and verify that she is in compliance with the laws governing the practice of a Substance Abuse Counselor-in-Training and the terms of this Order.
- ii. Applicant is responsible for compliance with all of the terms and conditions of this Order and any other Order she may be subject to. Applicant shall promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order or any other Order she is subject to.
- 4. The Department Monitor is the individual designated by the Department as its agent to coordinate compliance with the terms of this Order. Any 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 P.O. Box 7190, Madison, WI 53707-7190

Telephone: (608) 267-3817; Fax: (608) 266-2264

dspsmonitoring@wi.gov

Information may also be submitted online via the Department's Monitoring Case Management System at: https://app.wi.gov/DSPSMonitoring

- 5. Applicant may petition the Department for full, unrestricted licensure upon demonstration of continuous, successful practice in compliance with the terms of the Order and any other Order she may be subject to for at least one (1) year. "Practice in compliance" includes the submission of work reports, the contents of which are satisfactory to the Department or its designee. Any such petition shall be accompanied by a written recommendation from Applicant's current employer. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stat. §§ 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.
- 6. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

- 7. If Applicant violates any term of this Order or any other Order she may be subject to, 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 the Order. The Department may, in addition and/or in the alternative, refer any violation of this Order to the Department's Division of Legal Services and Compliance for further investigation and action.
 - 8. This Order is effective on the date of its signing.

Dated at Madison, Wisconsin this 11thday of February , 2022 .

Aloysius Rohmeyer, Chief Legal Counsel On behalf of the Department of Safety

STATE OF WISCONSIN BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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

TRAINING LICENSE

STIPULATION

ADALIA JANSEN, APPLICANT. ORDER 0007861

Applicant Adalia Jansen and the Department of Safety and Professional Services stipulate as follows:

- 1. Applicant filed an application for a Substance Abuse Counselor-in-Training license (#760894).
- 2. Information received by the Department reflects a basis for denial of Applicant's application.
- 3. Based upon the information of record, the Department agrees to issue and Applicant agrees to accept an Order granting a Substance Abuse Counselor-in-Training license, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
- 4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
 - the right to request a hearing related to the denial of the application;
 - the right to confront and cross-examine the witnesses against Applicant;
 - the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
 - the right to testify on Applicant'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 Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
- 5. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.
- 6. Applicant agrees to the adoption of the attached Order Granting Limited License by the Department. The parties to the Stipulation consent to the entry of the attached Order Granting

Limited License without further notice, pleading, appearance, or consent of the parties. Applicant waives all rights to any appeal of the Department's order, if adopted in the form as attached.

7. Applicant is informed that should the Department adopt this Stipulation, the Department's Order Granting Limited License is a public record and will be published in accordance with standard Department procedure.

Adalia Jansen, Applicant Kimberly, WI 54136

Application no. 760894

2/8/2022 Date

Aloysius Rohmeyer, Chief Legal Counsel

Department of Safety and Professional Services

4822 Madison Yards Way

P.O. Box 8935

Madison, WI 53708-8935

02/11/2022

Date