

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

MICHAEL A. HETTS, S.A.C.-I.T.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

ORDER 0008175

Division of Legal Services and Compliance Case No. 22 RSA 031

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

Michael A. Hetts, S.A.C.-I.T.
Madison, WI 53704

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 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 Michael A. Hetts, S.A.C.-I.T., (Year of Birth 1977) is certified in the state of Wisconsin as a substance abuse counselor-in-training, having certification number 17413-130, first granted on March 2, 2015 and current through February 28, 2023.¹

2. At all times relevant to this proceeding, Respondent was employed as a substance abuse counselor-in-training at an addiction services facility in Madison, Wisconsin (Facility).

¹ Respondent was granted limited certification after his application revealed prior convictions for Injury by Intoxicated Use of Vehicle, Underage Drinking, and Disorderly Conduct. See Order No. 0003645 dated January 22, 2015.

3. On July 8, 2022, the Facility found Respondent's cell phone that he had left behind in the Facility's reception area the previous day. There were several message notifications on the phone's home screen from a current and former client of Respondent's showing requests for money through a money transferring application. There were also voicemail notifications from the clients.

4. Respondent admits that he communicated with the clients outside the Facility by telephone and provided them with money for living expenses, such as cigarettes and food.

5. Respondent states that he no longer wishes to practice as a substance abuse counselor-in-training and is currently working outside the field.

6. In resolution of this matter, Respondent consents to 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. Based on the Findings of Fact, Respondent engaged in unprofessional conduct by failing to avoid dual relationships or relationships that may impair the substance abuse professional's objectivity or create a conflict of interest, pursuant to Wis. Admin. Code § SPS 164.01(2)(n).

3. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 440.88(6).

ORDER

1. The attached Stipulation is accepted.

2. The voluntary SURRENDER by Respondent of his certification to practice as a substance abuse counselor-in-training in the state of Wisconsin (number 17413-130), as well as his right to renew such certification, is accepted.

3. Respondent shall not petition the Department for reinstatement of his certification to practice as a substance abuse counselor-in-training in the state of Wisconsin for at least one (1) year from the date of this Order. In the event Respondent petitions the Department for reinstatement, the Department may enter an order denying such petition without further notice or hearing. Whether to grant certification and whether to impose any limitations or restrictions on any certification shall be in the sole discretion of the Department and such decision is not reviewable.

4. In the event Respondent petitions the Department for reinstatement of his certification to practice as a substance abuse counselor-in-training in the state of Wisconsin or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$197.00 before any petition or application for a credential will be considered by the applicable board or Department.

5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: A. Rohmeyer
Aloysius Rohmeyer, Chief Counsel
On Behalf of the Department

9/21/2022
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MICHAEL A. HETTS, S.A.C.-I.T.,
RESPONDENT.

STIPULATION

ORDER 0008175

Division of Legal Services and Compliance Case No. 22 RSA 031

Respondent Michael A. Hetts, S.A.C.-I.T., 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. Respondent is further informed that should the Department adopt this Stipulation, the Department's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. 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.



Michael A. Hetts, S.A.C.-I.T., Respondent
Madison, WI 53704
Certification No. 17413-130

8/9/2020
Date



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

8/11/2022
Date