

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

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1. On or about June 14, 2022, Shane Peterson (Applicant) filed an application to renew a Wisconsin Professional Engineer License (no. 47783-6).
2. Information received in the application process reflects that Applicant has the following conviction:
  - A. On or about April 27, 2021 – OWI-3<sup>rd</sup>, a misdemeanor violation.

- i. According to the Judgment of Conviction, Applicant was sentenced to a fine, court costs, ninety (90) days jail with twenty-five (25) days stayed for an OWI Program, a twenty-four (24) month driver's license suspension, a twenty-four (24) month ignition interlock requirement, and an AODA assessment.
3. Information received in the application process also reflects that Applicant:
  - A. Had a treatment session with his treatment provider (Treater) on January 7, 2021.
    - i. Treater noted that Applicant was last seen consistently in 2018, and at that time, Applicant was hesitant to embrace abstinence and continued to use.
    - ii. Treater noted that Applicant used his great career and professional life to justify his use.
    - iii. Treater noted that Applicant continued to use cocaine, THC, and alcohol regularly since 2018, and now had an OWI 3<sup>rd</sup>.
    - iv. Treater noted that Applicant was now willing to consider abstinence.
  - B. Was diagnosed with alcohol dependence, uncomplicated, cocaine dependence, uncomplicated, and cannabis dependence, uncomplicated, in a treatment intake assessment on January 20, 2021.
  - C. Was diagnosed with suspected alcohol dependency and suspected controlled substance dependency and/or other drug dependency, in the court ordered AODA assessment on May 25, 2021.
  - D. Had a treatment session on January 14, 2022.
    - i. Applicant reported that as of New Year's Eve 2022, he had been sober for one (1) year.
  - E. Had a treatment session on September 23, 2022.
    - i. Applicant reported daily cannabis use and using cocaine in between.
4. In resolution of this matter, Applicant consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Engineers Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers has jurisdiction over this matter pursuant to Wis. Stat. § 440.08(4)(a) and is authorized to enter the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
2. Pursuant to Wis. Admin. Code § SPS 4.09(2), Applicant failed to timely notify the Department of his misdemeanor conviction.

3. At this time, due to Applicant's diagnoses of alcohol dependence, uncomplicated, cocaine dependence, uncomplicated, and cannabis dependence, uncomplicated, and his continued use of substances after completing his OWI 3<sup>rd</sup> sentence, Applicant presents a risk to public health, safety or welfare such that limitations on his practice as a Professional Engineer are necessary pursuant to Wis. Stat. § 440.08(4)(a).

### ORDER

1. The attached Stipulation is accepted.

2. Limitations upon Applicant's professional engineer credential are necessary to ensure that he is fit and competent to safely practice as a professional engineer.

3. Applicant's ability to practice as a professional engineer is granted subject to the following stipulations:

A. For a period of at least two (2) years from the date of this Order:

i. Applicant shall enroll and participate in a drug and alcohol monitoring program which is approved by the Department (Approved Program). Enrollment shall occur within thirty (30) calendar days from the date of this Order.

ii. At the time Applicant enrolls in the Approved Program, Applicant shall review the rules and procedures made available by the Approved Program. Failure to comply with all requirements for participation in drug and alcohol monitoring established by the Approved Program is a substantial violation of this Order. The requirements shall include:

1. Contact with the Approved Program as directed on a daily basis, including vacations, weekends and holidays.

2. Production of a urine, blood, sweat, fingernail, hair, saliva or other specimen at a collection site designated by the Approved Program within five (5) hours of notification of a test.

3. The Approved Program shall require the testing of specimens at a frequency of not less than twenty-eight (28) times per year, (one of which may be a hair test at the Section's discretion) for at least the first year of this Order. Thereafter, the Section may adjust the frequency of testing on its own initiative at any time.

iii. Applicant shall abstain from all personal use of alcohol.

- iv. Applicant shall abstain from all personal use of controlled substances as defined in Wis. Stat. § 961.01(4), except when prescribed, dispensed or administered by a practitioner for a legitimate medical condition. Applicant shall disclose Applicant's drug and alcohol history and the existence and nature of this Order to the practitioner prior to the practitioner ordering the controlled substance. Applicant shall at the time the controlled substance is ordered immediately sign a release in compliance with state and federal laws authorizing the practitioner to discuss Applicant's treatment with, and provide copies of treatment records to, the Section or its designee. Copies of these releases shall immediately be filed with the Department of Safety and Professional Services Monitor (Department Monitor).
- v. Applicant shall report to the Department Monitor all prescription medications and drugs taken by Applicant. Reports must be received within twenty-four (24) hours of ingestion or administration of the medication or drug, and shall identify the person or persons who prescribed, dispensed, administered or ordered said medications or drugs. Each time the prescription is filled or refilled, Applicant shall immediately arrange for the prescriber or pharmacy to fax and mail copies of all prescriptions to the Department Monitor.
- vi. Applicant shall provide the Department Monitor with a list of over-the-counter medications and drugs that he may take from time to time. Over-the-counter medications and drugs that mask the consumption of controlled substances or of alcohol, create false positive screening results, or interfere with Applicant's treatment and rehabilitation, shall not be taken unless ordered by a physician, in which case the drug must be reported as described in the paragraph 4(a)v.
- vii. All positive test results are presumed valid and may result in automatic suspension of licensure by the Section or the Section's designee. Applicant must prove by a preponderance of the evidence an error in collection, testing, fault in the chain of custody or other valid defense.
- viii. If any urine, blood, sweat, fingernail, hair, saliva or other specimen is positive or suspected positive for any controlled substances or alcohol, Applicant shall promptly submit to additional tests or examinations as the Section or its designee shall determine to be appropriate to clarify or confirm the positive or suspected positive test results.
- ix. Applicant shall attend Narcotics Anonymous meetings, Alcoholics Anonymous meetings, or other Section-approved equivalent program for recovering professionals, no less than twice per week. Applicant shall provide proof of attendance on a quarterly basis to the Department Monitor.

- x. Applicant shall, at all times, practice as a Professional Engineer under the supervision of a Wisconsin licensed Professional Engineer approved by the Section. Approval shall be obtained through correspondence with the Department Monitor.
- xi. Applicant shall provide a copy of this Order to his current and any future employer. Applicant shall provide the 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 Monitoring 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.
- xii. Applicant shall arrange for written reports from his professional engineer-supervisor(s)/employer(s) to be provided to Department Monitor on a quarterly basis, as directed by Department Monitor. These reports shall assess Applicant's work performance and describe the circumstances of his employment, including the nature and extent of the Applicant's engineering activities and whether he has practiced in compliance with all laws governing the practice of engineering as a professional engineer.
- xiii. Applicant shall report to the Section any change of employment status, residence, address or telephone number within five (5) days of the date of change.
- xiv. Applicant shall commit no new violations of law and shall report all law enforcement contacts leading to arrest, charge or conviction, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within forty-eight (48) hours of any such event, including any convictions resulting from pending charges.

4. After two (2) consecutive years of successful compliance the Applicant may petition the Section for full, unrestricted license. The Section may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.

5. Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, faxed or delivered 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) 267-3817; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

You may also submit this information online via DSPS' Monitoring Case management System at: <https://dspsmonitoring.wi.gov>

6. In the event Applicant violates any term of this Order, Applicant's license, or Applicant's right to renew his license, may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing. The Section or its designee may terminate the suspension if provided with sufficient information that Applicant is in compliance with the Order and that it is appropriate for the suspension to be terminated. Whether to terminate the suspension shall be wholly in the discretion of the Section or its designee. The Section may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

7. Applicant shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision, and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

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

ENGINEERS SECTION OF THE WISCONSIN EXAMINING BOARD OF ARCHITECTS,  
LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS,  
PROFESSIONAL LAND SURVEYORS, AND REGISTERED INTERIOR DESIGNERS

By: Steven J. Hahn / TIT  
A Member of the Section

08/17/2023

Date

STATE OF WISCONSIN  
BEFORE THE ENGINEERS SECTION  
OF THE WISCONSIN EXAMINING BOARD OF ARCHITECTS,  
LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS,  
DESIGNERS, PROFESSIONAL LAND SURVEYORS, AND  
REGISTERED INTERIOR DESIGNERS

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IN THE MATTER OF APPLICATION FOR :  
RENEWAL OF A PROFESSIONAL ENGINEER :  
LICENSE :

SHANE PETERSON,  
APPLICANT. :

STIPULATION

**ORDER 0008709**

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It is stipulated between Applicant and the Engineers Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers (Section) as follows:

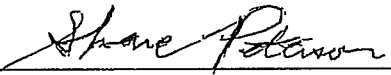
1. Applicant filed an application to renew a professional engineer credential.
2. Information received by the Section reflects a basis for denial of licensure.
3. Based upon the information of record, the Section agrees to issue, and Applicant agrees to accept, an Order granting a professional engineer 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.

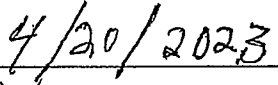


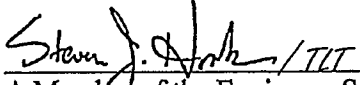
6. Applicant agrees to the adoption of the attached Order Granting Limited License by the Section. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, appearance, or consent of the parties.

7. Applicant waives all rights to any appeal of the Section's Order, as adopted in the form as attached.

8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.

  
\_\_\_\_\_  
Shane Peterson  
Sparta WI 54656  
License no. 47783-6

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
A Member of the Engineers Section of  
the Wisconsin Examining Board of Architects,  
Landscape Architects, Professional Engineers,  
Designers, Professional Land Surveyors, and  
Registered Interior Designers  
P.O. Box 8935  
Madison, WI 53708-8935

08/17/2023  
\_\_\_\_\_  
Date