

**DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING**  
Heber M Wells Building  
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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH**

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**IN THE MATTER OF THE LICENSE OF  
BRIAN JORGENSEN**

**TO PRACTICE AS AN APPRENTICE  
ELECTRICIAN IN THE STATE OF UTAH**

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND ORDER**

Case No DOPL-OSC-2009-222

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**FINDINGS OF FACT**

- 1 The Division of Occupational and Professional Licensing (the "Division") filed a Notice of Agency Action in this matter on the 19th day of January 2012
- 2 This action is based upon Division records as reflected in the Notice of Agency Action filed herein which show that BRIAN JORGENSEN ("Respondent"), failed to comply with an order issued July 30, 2009, as a result Respondent has engaged in unprofessional conduct, in violation of Utah Code Annotated Subsection 58-1-501(2)(a)
- 3 Respondent has filed a response. However, the response fails to demonstrate the obligations specified in the Notice of Agency Action have been resolved. Respondent has failed to comply with his probation terms as outlined in his July 30, 2009 order. Respondent has failed to submit quarterly reports on the due date, and has failed to check-in with the drug testing facility. Respondent has failed to check-in twenty-two (22) times and did not show up for five (5) drug tests. By failing to comply with the items in the Notice of Agency Action, respondent has engaged in unprofessional conduct as outlined above. This conduct constitutes a basis to revoke Respondent's license pursuant to Utah Code Annotated Subsections 58-1-401(1) and (2).

**CONCLUSIONS OF LAW**

- 4 The Notice of Agency Action and documents attached thereto provide a basis to conclude that Respondent has failed to comply with an order, in violation of Utah Code

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Annotated Subsection 58-1-501(2)(a) Based on these violations, Respondent has engaged in unprofessional conduct as defined by Utah Code Annotated Subsection 58-1-501(2)(a), and Respondent no longer meets the qualification for licensure as provided by Utah Code Annotated Section 58-55-306

6 The Division is authorized to revoke Respondent's apprentice electrician's license as provided by Utah Code Annotated Subsection 58-1-401(1) because the Respondent no longer meets the qualifications for licensure as required by Utah Code Annotated Subsection 58-55-102(19)

7 The Division is authorized to revoke Respondent's apprentice electrician's license as provided by Utah Code Annotated Subsection 58-1-401(2)(a), for engaging in unprofessional conduct as provided by Utah Code Annotated Subsection 58-1-501(2)(a), and for failure to comply with Division's July 30, 2009 Order

### ORDER

WHEREFORE, IT IS ORDERED Respondent's license to practice as an apprentice electrician in this state shall be revoked, effective on the date this order is signed

On behalf of the Construction Services Commission and the Division of Occupational and professional licensing, I hereby certify the foregoing Findings of Fact, Conclusions of Law, and Order were submitted to the Construction Services Commission and the Division on the 28<sup>th</sup> day of March 2012 for their review and action

  
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Dan S Jones, Bureau Manager

ORDER

THE ABOVE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER in the matter of **Brian Jorgensen**, is hereby adopted by the Construction Services Commission of the State of Utah

DATED this 28 day of March, 2012

  
~~CONSTRUCTION SERVICES COMMISSION~~  
Representative

I concur with the above Order, which the Construction Services Commission has approved

DATED this 28 day of March, 2012

DIVISION OF OCCUPATIONAL AND  
PROFESSIONAL LICENSING

  
for MARK B STEINAGEL  
Director

Agency review of this order may be obtained by filing a request for agency review within thirty (30) days after the date of this order. If you choose to file a request for agency review, you must adhere to the attached procedures