

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
Heber M. Wells Building
160 East 300 South
PO Box 146741
Salt Lake City, UT 84114-6741
Telephone: (801) 530-6628

**BEFORE THE CONSTRUCTION SERVICES COMMISSION
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF : **NOTICE OF AGENCY ACTION**
BRADLEY JOHN HOPKINSON : **TO REVOKE PLUMBER'S**
TO PRACTICE AS AN APPRENTICE : **LICENSE FOR FAILURE TO**
PLUMBER AND A RESIDENTIAL : **COMPLY WITH TERMS OF**
JOURNEYMAN PLUMBER IN THE STATE . **PROBATION, AND ENGAGING IN**
OF UTAH : **UNPROFESSIONAL CONDUCT**
: :
: Case No. DOPL-OSC-2011-282

THE CONSTRUCTION SERVICES COMMISSION TO BRADLEY JOHN
HOPKINSON

BRADLEY JOHN HOPKINSON
1425 N 538 W APT U
LAYTON UT 84041

The Division of Occupational and Professional Licensing ("the Division") hereby files this Notice of Agency Action to determine whether a basis exists to revoke your license to practice as a Journeyman plumber due to your failure to comply with the terms of your probation as set forth in the Order dated June 22, 2011 and unprofessional conduct.

This action is based upon Division records and an investigation, which show that you have failed to comply with the conditions stated in the June 22, 2011 Order. As a result, you have engaged in unprofessional conduct, in violation of Utah Code Annotated Section 58-1-501(2)(a).

ALLEGATIONS SUPPORTING THIS ACTION

1. Respondent is, and at all times relevant to this proceeding has been, licensed to practice as a Journeyman Plumber since December 6, 1997. Respondent became initially so licensed as an Apprentice Plumber on April 9, 1993.

2 On June 22, 2011 the Division brought a disciplinary action against Respondent for unprofessional and unlawful conduct.

April 2005, Respondent pleaded guilty to one count of simple assault, Class A misdemeanor.

March 2006, Respondent pleaded guilty to one count of theft of services, Class A misdemeanor.

August 2007, Respondent was convicted of one count of criminal mischief, Class B misdemeanor.

October 2007, Respondent pleaded guilty to two counts of illegal possession/use of controlled substance, each 3rd degree felony.

October 2007, Respondent pleaded guilty to one count of theft, 3rd degree felony.

December 2007, Respondent pleaded guilty to one count of open container/drinking alcohol in a vehicle, Class C misdemeanor.

December 2007, Respondent pleaded guilty to one count of driving under the influence of alcohol and/or drugs, and one count of driving on a revoked/suspended license, each Class B misdemeanor.

July 2008, Respondent pleaded guilty to one count of illegal possession/use of a controlled substance, 3rd degree felony

March 2009, Respondent pleaded guilty to one count of driving with a measurable controlled substance, Class B misdemeanor.

May 2008, Respondent pleaded guilty to one count of alcohol restricted driver, one count of no proof of insurance, and one count of failure to appear on a citation, Class B misdemeanor.

July 2010, Respondent pleaded guilty to one count of ignition interlock violation, Class B misdemeanor.

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3. Pursuant to the June 22, 2011 Order, Respondent's Journeyman Plumber license was revoked, and the revocation immediately stayed. Respondent's license was placed on probation for three (3) years], subject to various terms and conditions. That Order was based on a stipulation between the Division and Respondent

4. As a result, Respondent has engaged in the following conduct, in violation of the June 22, 2011 Order:

- 1 Respondent failed to have his employer submit a quarterly progress reports due February 20, 2012 with attendance, behavior, quality of work, and ability to get along with others.
11. Respondent failed to Activate and check in daily starting for drug and alcohol testing with the provider Affinity that the Division has contracted with.
111. Respondent failed to provide the Commission with a plan for treatment including the name(s) of the evaluators, prescribing practitioner and dispensing pharmacy.
- iv. Respondent was required to successfully complete a chemical dependency evaluation and submit this to the Division within ninety (90) days of the effective date of the Stipulation and Order. This was due by September 22, 2011.
- v. Respondent is required to participate in therapy and/or aftercare that the Division and Commission may require. Therapy reports were to be submitted quarterly. We have not received any reports since August 1, 2011.
- vi. Respondent was required to attend two 12-step meetings monthly and submit these documents to the Division on a quarterly basis. We have not received any 12-step reports.

NOTICE OF INFORMAL PROCEEDING

The adjudicative proceeding designated herein is to be conducted on an *informal basis*, which means that you are not entitled to a hearing. The decision in this matter will be based upon a review of the Division records and any response filed.

Within thirty (30) days of the mailing date of this notice, you are requested to file a written response with the Division. Your response may be helpful in clarifying, refining or narrowing the facts and the violation alleged herein. Your written response should be mailed to:

Division of Occupational and Professional Licensing
Attn: Dan S. Jones, Bureau Manager
160 East 300 South
PO Box 146741
SALT LAKE CITY, UT 84114-6741

You may represent yourself or legal counsel may represent you, at your own expense, while this action is pending. If you are represented by legal counsel, your attorney must file a Notice of Appearance with the Division at the address stated above. Until a Notice of Appearance is filed, the presiding officer will communicate directly with you.

Dan S. Jones, Bureau Manager, is designated as the coordinator for the Construction Services Commission ("Commission"). The Commission is the presiding officer over this informal proceeding. If you or your attorney has any questions regarding the procedures related to this matter, Mr. Jones can be contacted at the above address, or via telephone at (801) 530-6720.

At the expiration of your deadline to submit a response, and without further notice to you, the presiding officer will make an informal review of the record in this matter and determine whether you have failed to comply with the Division's March 30, 2011 Order, in violation of Utah Code Annotated Section 58-1-501(2)(a) and therefore subject you to sanctions under Utah Code Annotated Section 58-1-401(2)(a).

The maximum administrative sanction in this case is revocation of your license to practice as a Plumber.

Please conduct yourself accordingly

Dated this 19th day of April, ²⁰¹²~~2011~~.

W. Ray Walker
W. Ray Walker
Regulatory and Compliance
Officer

