

**STATE OF VERMONT  
SECRETARY OF STATE  
OFFICE OF PROFESSIONAL REGULATION  
BOARD OF PUBLIC ACCOUNTANCY**

**RE:** )  
**DANIEL P. THOMPSON** ) **Docket No. AC04-0807**  
**License No. 001-0000621** )

**STIPULATION AND CONSENT ORDER**

**STIPULATION**

NOW COMES the State of Vermont, through State Prosecuting Attorney Edward G. Adrian, and the Respondent, Daniel P. Thompson, who stipulate and agree as follows:

**Board Authority**

1. The Board of Public Accountancy (the "Board") has jurisdiction to investigate and adjudicate complaints of unprofessional conduct pursuant to 3 V.S.A. §§ 129 and 129a; 26 V.S.A. §§ 54, 72a, 73, 74, 75, 76, 78, and 82; the Rules of the Board; and the Rules of the Office of Professional Regulation.

**Statement of Facts**

2. Daniel P. Thompson (the "Respondent") of St. Albans, Vermont is licensed by the State of Vermont as a Certified Public Accountant under license number 001-0000621. This license was originally issued on or about April 2, 1987 and is currently set to expire on July 31, 2009.
3. On or about June 22, 2007 in the Board's license renewal application, the Respondent answered "Yes" to the question "Since you were originally licensed or since you completed your last renewal application, have you been convicted of a crime other than a minor traffic violation?"
4. In a letter to the Board attached to the license renewal application, the Respondent revealed that in April 2007 he was convicted of his fourth DUI, a felony.
5. Moreover, in the above-mentioned letter, the Respondent described his long-term history with alcohol abuse and the resources he is using to return to sobriety.
6. Respondent is currently under parole with the Vermont Department of Corrections under standard and special conditions until May 19, 2010 for his felony conviction and two related misdemeanor convictions.

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### Charges

7. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:
  - a. 3 V.S.A. § 129a(a)(10) (Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession); and
  - b. 3 V.S.A. § 129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

### Understandings

8. Respondent admits the facts above are true and that the conditions below are necessary to protect the public.
9. Respondent understands that the Board must review and accept the terms of the Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void.
10. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced his rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
11. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
12. Respondent is not under the influence of any drugs or alcohol at the time he signs this Stipulation and Consent Order.
13. Respondent voluntarily enters into this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this Stipulation and Consent Order.
14. Respondent voluntarily waives his right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.
15. Respondent agrees that the Order set forth below may be entered by the Board.

### ORDER

Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

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A. The Board of Public Accountancy hereby **CONDITIONS** the Respondent's license to practice as a certified public accountant commencing with the date of entry of this Stipulation and Consent Order and until such time as Respondent is released from parole by the Vermont Department of Corrections for the above-referenced criminal offenses. The conditions are as follows:

(1) License to be labeled "Conditioned."

Any license issued to the Respondent by this Board shall be labeled "Conditioned."

(2) Length of Time Conditions Imposed.

The conditions shall remain in place until Respondent has completed all conditions ordered. Respondent shall be subject to the conditions until Respondent is released from parole by the Vermont Department of Corrections. Upon discharge from the supervision of the Department of Corrections, Respondent may petition the Board to have these conditions removed from his license.

(3) Compliance with Requirements of the Department of Corrections.

Respondent shall comply with all requirements of the Vermont Department of Corrections, or any similar agency in any other state; this includes all court-ordered requirements. This includes, for purposes of illustration, probation conditions, furlough conditions, parole conditions, and the like. Any violation of any condition imposed by the Department of Corrections is a violation of this Order and grounds for further discipline.

(4) Notification of Conditions or Change in Conditions.

Respondent shall provide the Board with a copy of all conditions imposed on him by the Department of Corrections. Should the conditions change, Respondent shall provide the Board with updated conditions and releases as needed within fifteen (15) days of the changes.

(5) Release.

Respondent shall provide the Board with a release to permit the Board, investigators, and prosecuting attorney to obtain information from Corrections about compliance with any requirements of the Department of Corrections.

(6) Completion of Substance Abuse Counseling and Treatment Plan.

Respondent shall enter into and engage in any substance abuse counseling or treatment required by the Department of Corrections to their satisfaction.

(7) Notification to Treating Professional

Respondent shall provide a copy of this Stipulation and Consent Order to his treating professional and cause his treating professional to inform the Board, in writing and on professional letterhead, of receipt of the Stipulation and Consent Order and the treating professional's ability to comply with the conditions related to treatment and with all other terms of this Consent Order. This condition shall be met within fifteen (15) days of the date of entry of this order.

(8) Reports from Treating Professional.

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Respondent shall authorize and cause his treating professional to submit to the Board evidence of satisfactory progress with the treatment plan during the effective period of this Consent Order. These reports shall be submitted in writing on the treating professional's letterhead. The first report is due commencing the month after the date of entry of this order and subsequent reports are due **quarterly** thereafter.

Respondent shall authorize his treating professional to provide all information requested by the Board, either orally or in writing, at any time during the conditioned period.

(9) Employment Restriction.

Respondent shall only work as permitted by the Department of Corrections.

(10) Notification to Employers.

During the conditioned period, Respondent shall provide a copy of this Stipulation and Consent Order to all employers in any current or future setting in which Respondent practices as a certified public accountant, and inform them of Respondent's conditional license status.

Within ten (10) days of the commencement of employment as a certified public accountant, Respondent shall cause his immediate supervisor to inform the Board, in writing and on the employer's letterhead, of receipt of the Stipulation and Consent Order and the ability of the employer to comply with the conditions of the Consent Order.

(11) Notification to Parole Officer.

Within ten (10) days of the date of entry of this Stipulation and Consent Order, Respondent shall provide a copy of this Stipulation and Consent Order to his parole officer and cause his parole officer to inform the Board, in writing and on professional letterhead, of receipt of the Stipulation and Consent Order and the parole officer's ability to comply with the conditions of the Consent Order.

(12) Reports from Parole Officer.

Within one (1) month of the date of entry of this Stipulation and Consent Order and **quarterly** thereafter for the period the conditions are in place, Respondent shall authorize and cause his parole officer to submit to the Board evidence of compliance with all requirements of the Department of Corrections. These reports shall be submitted in writing and on the parole officer's professional letterhead.

Respondent shall authorize his parole officer to provide all information requested by the Board, either orally or in writing, at any time during the period this Consent Order is in effect.

In addition, the Respondent shall cause his parole officer to submit to the Board the results of any urine screens administered to the Respondent during the quarter.

(13) Report to Board.

The Respondent shall report to the Board any charge, arrest, or conviction, whether or not the charge, arrest, or conviction is related to the practice of the profession, within ten (10) days of such charge, arrest, or conviction.

(14) Release of Information Forms.

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The conditions of this Consent Order require the Respondent to authorize drug and/or alcohol treatment providers to report information in verbal and/or written format and/or to discuss the Respondent and any and all treatment rendered to the Respondent for drugs and/or alcohol with the Board or its designee. The conditions of this Order must allow any and all information from the Respondent's treatment providers to also be provided to the Office of Professional Regulation investigators and that the information may be used for further prosecutions if so warranted, or if the Office of Professional Regulation determines that said information violates the terms of this Order or any rules or laws governing the profession of certified public accountancy.

The Respondent is entitled to revoke this consent at any time. However, any revocation by the Respondent of such consent to disclosure during the term of this Order shall be considered a violation of this Order.

This consent expires when the conditions are removed from the Respondent's certified public accountancy license.

This Stipulation and Consent Order shall constitute a valid written consent pursuant to the requirements of 42 C.F.R. § 2.31.

The Respondent understands that his treatment provider may require him to sign a separate and distinct consent meeting the requirements of 42 C.F.R. § 2.31.

(15) Costs.

The Respondent shall bear all costs of complying with this Consent Order.

(16) Violation of this Order.

If the Respondent violates the terms of this Order in any respect, the Board, after giving the Respondent notice and an opportunity to be heard, may rescind or modify this Order and impose additional appropriate disciplinary actions. If a complaint of unprofessional conduct is made against the Respondent during the term of this Order, this Order shall be automatically extended until the unprofessional conduct matter is concluded.

(17) Completion of Conditional License Period.

After the conditional license period, the Respondent may petition the Board to remove any and all conditions on his license. The Respondent must present proof that he has fully complied with the terms of this Order. Proof of satisfactory discharge from criminal parole shall constitute full compliance with this Order.

- B. Notwithstanding any provision above, the Respondent must continue to meet all Board requirements for maintaining a license, license renewal, and license reinstatement.
- C. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. § 129(a).
- D. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

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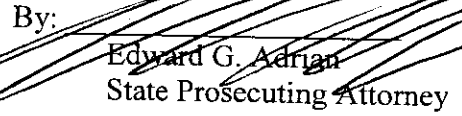


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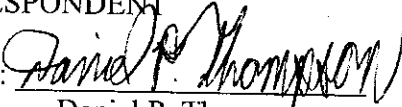
AGREED TO:

Dated: 9/17/08

STATE OF VERMONT  
SECRETARY OF STATE

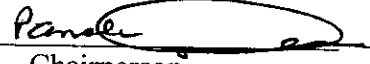
By:   
Edward G. Adrian  
State Prosecuting Attorney

Dated: 9/11/08

DANIEL P. THOMPSON  
RESPONDENT  
By:   
Daniel P. Thompson

APPROVED AND SO ORDERED:

Dated: 10/06/08

VERMONT BOARD OF PUBLIC  
ACCOUNTANCY  
By:   
Chairperson

Date of Entry: 10/14/08

ac.thompson.stip2

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