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IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST

MICHELLE Y. MORELAND, R.N.,

FINAL DECISION AND ORDER

RESPONDENT

LS 99051410NUR

Division of Enforcement Case No. 98 NUR 174

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

*Michelle Y. Moreland, R.N.
P. O. Box 05438
Milwaukee, WI 53205*

*Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Michelle Y. Moreland (D.O.B. 12/01/63) is duly licensed in the state of Wisconsin as a registered nurse (license #105319). This license was first granted on September 9, 1990.
2. Ms. Moreland's latest address on file with the Department of Regulation and Licensing is P.O. Box 05438, Milwaukee, WI 53205.
3. On or about August 24, 1984, respondent was convicted of False Representation to Obtain Public Assistance, a felony, in violation of sec. 49.12(1), Stats. A true and correct copy of the Criminal Complaint and Judgment of Conviction is attached to this Order as Exhibit A. Exhibit A is incorporated by reference into this Order.
4. On or about September 18, 1995, respondent was found guilty of battery on a police officer, disorderly conduct and resisting officer with violence in Dade County, Florida. A true and correct copy of the Finding of Guilt and Order is attached to this Order as Exhibit B. Exhibit B is incorporated by reference into this Order.
5. In resolution of this matter, Ms. Moreland consents to the entry of the following Conclusions of Law and Order as a reasonable accommodation to allow her an opportunity to continue her nursing career, in light of the facts and circumstances of this case.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter, pursuant to ch. 441, Stats.
2. The Wisconsin Board of Nursing is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Stats.
3. The conduct described above constitutes a basis for discipline under secs. 441.07(1)(c) and (d), Stats, and Wis. Admin. Code § N7.04(1).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

- A.** The license of Michelle Y. Moreland shall be SUSPENDED for an INDEFINITE PERIOD of time.
- B.** Ms. Moreland may petition the Board for a STAY of the suspension of her licensure at any time.
 1. In the exercise of its discretion, the Board may require one or more physical, mental or professional competency examinations to evaluate Ms. Moreland's ability to return to the practice of nursing. In addition, the Board may require a personal appearance by Ms. Moreland to answer questions in conjunction with her petition.
 2. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of secs. 227.01(3) and 227.42, Stats. *The Board may in its sole discretion determine whether, and under what terms and conditions, Ms. Moreland may resume the practice of nursing in the state of Wisconsin.*

C. Violation of any of the terms of this Order or the conditions imposed as a result of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Ms. Moreland's license; the Board in its discretion may in the alternative impose additional conditions and limitations other additional discipline for a violation of any of the terms of this Order.

This Order shall become effective upon the date of its signing.

BOARD OF NURSING

By:

Timothy D. Burns, CRNA

A Member of the Board

May 14, 1999

Date