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IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
: :
WAYNE D. BRUNSON, L.P.N., :
RESPONDENT. : LS0712132NUR

Division of Enforcement Case #06 NUR 160

The parties to this action for the purposes of Wis. Stats. § 227.53 are:

Wayne D. Brunson, L.P.N.
3014 Worthington Ave.
Madison, WI 53714

Wisconsin 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

PROCEDURAL HISTORY

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. Wayne D. Brunson, L.P.N. (DOB 11/12/1966) is duly licensed as a practical nurse in the State of Wisconsin pursuant to license #31-303901. This license was first granted on February 19, 2003.
2. Respondent's most recent address on file with the Department of Regulation and Licensing is 3014 Worthington Avenue, Madison, WI 53714.
3. Prior to getting licensed in Wisconsin, Respondent held a license in North Carolina from February 25, 2000 until it expired on November 30, 2003.
4. On September 6, 2002, at the Respondent's temporary residence, Respondent made attempts to kiss the hand and back of the neck of a 15 year old girl who was there to baby-sit his roommate's children.
5. On September 21, 2002, Respondent was witnessed pounding on the door and window of a residence demanding that the owner owed him \$5.00. This was followed by Respondent breaking a window at the residence and then driving off.
6. As a result of the conduct in paragraphs 3 and 4, above, on January 15, 2003, Respondent was convicted of 4th degree attempted sexual assault, battery and disorderly conduct, all misdemeanors. His sentence was withheld and he was placed on 30 months of probation.
7. On November 19, 2003, Respondent plead guilty to operating while intoxicated (OWI) and operating while revoked on November 14, 2003. As a result, Respondent's probation was revoked and his sentence was imposed. The Respondent

served 9 months in jail with Huber privileges.

8. As part of his OWI conviction, Respondent took part in an outpatient NewStart Program for AODA treatment from April 24, 2006 through September 27, 2006. It was noted in the Discharge Summary that Respondent maintained abstinence during his involvement in the program.

9. Respondent is not currently working as a nurse.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stat. §§ 441.07(1)(b), (c) and (d) and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 4 through 7, above, violated Wis. Adm. Code §§ N 7.03(2) and N 7.04(1) and (15). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the license of Wayne D. Brunson, L.P.N. to practice as a practical nurse in the State of Wisconsin is hereby REPRIMANDED effective the date of signing of this Order.

IT IS FURTHER ORDERED that Respondent is LIMITED as follows:

1. For an indefinite period of not less than 2 years, Respondent shall arrange for written reports from supervisors to be provided to the Department Monitor. The work reports shall be submitted on a monthly basis for 6 months after which time reports may be submitted on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance, and shall include the number of hours of active nursing practice worked during that quarter.

2. Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

3. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$200.00 pursuant to Wis. Stat. § 440.22(2).

4. Payment shall be made by check or money order, made payable to the Wisconsin Department of Regulation and Licensing and submitted to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935
Fax (608) 266-2264
Telephone (608) 267-3817

5. In the event that Respondent fails to pay costs as ordered or fails to have quarterly work reports submitted in a timely manner, Respondent's license shall be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

BOARD OF NURSING

By: Marilyn Kaufmann
A Member of the Board

12/13/2007
Date