

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**  
:  
KRISTIN M. WAITE-LaBOTT, R.N. : LS08120413NUR  
RESPONDENT. :

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Division of Enforcement Case #07 NUR 336

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

Kristin M. Waite-LaBott  
1741 S. 72<sup>nd</sup> St.  
West Allis, WI 53214

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. Kristin Michelle Waite-LaBott (D.O.B. 10/17/67) is duly licensed in the state of Wisconsin as a professional nurse (license # #107671. This license was first granted 9/5/91. Respondent was previously disciplined in file 04 NUR 219 for diversion of opioids, her license was suspended and the suspension was permitted to be stayed on terms and limitations, on 11/4/04.
2. On 9/28/07, Respondent was excluded from all Medicare, Medicaid, and other federal health care programs as a result of two criminal convictions relating to her conduct in obtaining controlled substances unlawfully, which conduct was the subject of discipline by the Board as noted, above, or which was considered during the period of her suspension.
3. Respondent did not notify her employer of her exclusion, and her employer continued to assign and pay Respondent to care for patients whose care was to be paid, in whole or in part, by such programs, without realizing that it would not be reimbursed for such care.

#### CONCLUSION OF LAW

By the conduct described above, respondent is subject to disciplinary action against her license to practice as a registered nurse in the state of Wisconsin, pursuant to Wis. Stat. § 441.07(1)(d), and Wis. Adm. Code §§ N 7.04(intro) and (13).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the attached Stipulation is accepted, and:

1. Kristin M. Waite-LaBott, R.N., is REPRIMANDED for her unprofessional conduct in this matter.
2. The license of Respondent to practice as a nurse in the state of Wisconsin is LIMITED as follows:
  - a. No later than 6/30/09, Respondent shall successfully complete no fewer than six hours of continuing education in the area of nursing ethics, which shall have been pre-approved by the Board or its designee.
  - b. Respondent shall provide her nursing employers with a copy of this Order, the Board's Order of 11/4/04, and the exclusion letter of 9/28/07, before engaging in any nursing employment.

3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely comply with the ordered continuing education, the Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

IT IS FURTHER ORDERED that respondent shall pay the costs of investigating and prosecuting this matter, in the amount of \$500, no later than 1/5/10. If not paid, Respondent's

license shall be SUSPENDED without further notice or hearing, until they are paid in full, together with any accrued interest.

WISCONSIN BOARD OF NURSING

By: Marilyn Kaufmann  
A Member of the Board

December 4, 2008  
Date