

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KRISTEN M. BOYD, L.P.N.,  
RESPONDENT.

:  
:  
:  
: FINAL DECISION AND ORDER

: Order 0000181  
:

---

[Division of Enforcement Case # 09 NUR 080]

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

Kristen M. Boyd, L.P.N.  
W4878 Riverbend Drive  
Merrill, WI 54452

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Board of Nursing  
Department of Regulation & Licensing  
1400 East Washington Avenue  
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 of Nursing. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Kristen M. Boyd, L.P.N., Respondent, date of birth December 13, 1982, is licensed by the Wisconsin Board of Nursing as a licensed practical nurse in the state of Wisconsin pursuant to license number 305141, which was first granted July 29, 2004.
2. Respondent's last address reported to the Department of Regulation and Licensing is W4878 Riverbend Drive, Merrill, WI 54452.
3. On February 18, 2009, Respondent self-reported to the Department's Division of Enforcement her December 12, 2008 misdemeanor conviction for Theft-False Representation <=\$2500, in violation of Wis. Stat. § 943.20(2)(d). The allegations included:

a. Respondent and her boyfriend went into an Oshkosh Wal-Mart with a small item claiming they needed to return it. After receiving a return sticker for that item, they eventually placed the sticker on an expensive vacuum cleaner and proceeded to return the vacuum. They informed customer service that they did not have a receipt and subsequently obtained a gift card valued at \$523.82.

b. Respondent was also involved in fraudulent returns of expensive vacuum cleaners in other Wal-Mart stores. After the return of three non-receipt items in a 6-month period, the Wal-Mart internal system flags such activity. As a result, an investigation traced the fraudulent returns to Respondent, who admitted her involvement in the thefts.

4. Wis. Stat. § 943.20(2)(d), Theft-False Representation <=\$2500, is a law substantially related to practice under Respondent's license.

5. On August 5, 2008, Respondent was charged in Outagamie County Wisconsin Circuit Court case number 08CM1118 with one misdemeanor count of Neglecting a Child, in violation of Wis. Stat. § 948.21(1)(a). This count was based on allegations that:

a. On April 29, 2008, Respondent left her child, a kindergartner, at school without making arrangements for someone to watch him after school. The principal of the school attempted to contact Respondent but was unsuccessful.

b. The principal and a police officer took the child to Respondent's residence, where there was no one home. Two neighbors told them that Respondent's child would occasionally come to their apartments and ask if he could stay there. Neither neighbor had spoken with Respondent or made arrangements with her to watch her child. One of the neighbors also stated that Respondent has another younger child who had been observed outside the apartment building in only his underwear, attempting to gain entry without any adult supervision.

c. The principal and police officer returned to the school with Respondent's child and continued making efforts to contact Respondent. When Respondent finally responded to messages asking her to call the police department, she was asked to come to school to pick up her child. Respondent told them that she had been unable to pick up her child after school because she was in another city helping her boyfriend find a job.

d. The police officer and a child protection worker accompanied Respondent and her child to their residence. It was discovered that the doorknob to the child's bedroom was such that it could be locked from the outside. The child stated that he and his sibling had been locked in the bedroom for several hours the preceding evening and that they had also been locked in the bedroom on different occasions.

6. On March 9, 2009, Respondent entered into a deferred prosecution agreement.

7. Wis. Stat. § 948.21(1)(a), Neglecting a Child, is a law substantially related to practice under Respondent's license.

8. Respondent also has two convictions for OWI (operating a motor vehicle while intoxicated) that occurred in December 2007 and on September 18, 2009, as well as a conviction for petty theft on May 7, 2008.

### CONCLUSIONS OF LAW

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

2. Respondent, by having violated, and been convicted of, laws substantially related to the practice of practical nursing, has committed misconduct or unprofessional conduct as defined by Wis. Adm. Code § N 7.04(1) which subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

### ORDER

IT IS ORDERED:

1. Respondent, Kristen M. Boyd, L.P.N., is REPRIMANDED for the above conduct.
2. Respondent's license to practice nursing in the State of Wisconsin, and her privilege to practice pursuant to the Multi-State Nurse Licensure Compact, is LIMITED for a period of at least two (2) years from the date of this Order, as follows:
  - a. Respondent shall provide a copy of this Final Decision and Order immediately to supervisory personnel at all settings where Respondent works as a nurse or caregiver or provides health care, during the two year period.
  - b. Respondent shall not have unsupervised access to patients' property.
  - c. Respondent shall practice only in a work setting pre-approved by the Board or its designee. Respondent may not work in a home health care, hospice, pool nursing or agency setting.
  - d. Respondent shall practice only under the direct supervision of a licensed nurse or other licensed health care professional approved by the Board or its designee.
  - e. Respondent's supervisors shall provide written reports on Respondent's work performance to the Department Monitor on a quarterly basis, as directed by the Department Monitor. It shall be Respondent's responsibility to ensure that the reports are made in a timely manner.
  - f. Respondent shall notify the Department Monitor of each employment as a nurse and the name and contact information for her supervisor at each employment, within 10 days of becoming employed as a nurse.
3. Respondent shall, within 120 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of Six Hundred Dollars (\$600.00), pursuant to Wis. Stat. § 440.22(2).

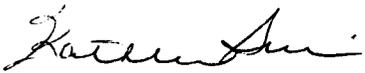
4. All requests, petitions and payments required by this Order shall be mailed, faxed or delivered to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Avenue  
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, Respondent's license may, in the discretion of the Board or its designee, 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.

Wisconsin Board of Nursing

By:   
A Member of the Board

5/6/10  
Date