

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
SHELLY L. RIETMANN, R.N., : FINAL DECISION AND ORDER
RESPONDENT. :
ORDER 0000238

Division of Enforcement Case # 09 NUR 425

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

Shelly L. Rietmann
340 E. 7th Street
Redwing, MN 55066

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 in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Shelly L. Rietmann, L.P.N., (DOB 02/06/1985) is duly licensed as a practical nurse in the State of Wisconsin (license #31-305448). This license was first granted on September 13, 2004.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 340 E. 7th Street, Redwing, Minnesota, 55066.

3. In 2007, Respondent was investigated in Minnesota for child abuse, which was substantiated. She left her young children, ages three and six, with her father for over a week, soon after filing a restraining order against her father stating that he was delusional and had attempted to choke another family member. While she was away, her father called her and said that he had received a phone call from someone who stated they were going to kill her family members if she cooperated with the law. He stated that he was afraid and was hiding in a closet and/or under the bed. The Respondent did not call the police to do a welfare check on the children and her father, and did not return home. Later, she sent two friends over to get the children, and one of them was known to her father as someone who had a warrant for his arrest.

4. A CHIPS petition was filed. Respondent went through therapy, and the court lifted the CHIPS order on October 21, 2008. The court stated: "The mother has been working diligently to make changes in her life that will enable her to safely and effectively parent her children."

5. Respondent's current therapist is of the opinion that Respondent displays no signs that she would be someone who would put children at risk of harm and believes she is safe to practice nursing.

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. The conduct described in paragraph 3 above constitutes a violation of Wisconsin Administrative Code § N 7.04(1) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

IT IS ORDERED:

1. Shelly L. Rietmann, L.P.N., is REPRIMANDED.

2. The license of Shelly L. Rietmann, L.P.N. to practice nursing in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is LIMITED as follows:

- (a) For a period of at least one (1) year from the date of this Order, Respondent shall arrange for quarterly reports from her nursing employer(s) reporting the terms and conditions of her employment

and evaluating her work performance. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing Division of Enforcement, at P.O. Box 8935, Madison, Wisconsin, 53708-8935.

- (b) For a period of at least one (1) year from the date of this Order, 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 and 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.
- (c) Respondent shall notify the Department Monitor of any change of nursing employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.

3. Pursuant to the Nurse Licensure Compact, Respondent's nursing practice is limited to Wisconsin during the pendency of the above limitations. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and of the regulatory board in the state in which Respondent proposes to practice.

4. 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 Two Hundred Dollars (\$200.00), pursuant to Wis. Stat. § 440.22(2).

5. All payments, reports and other correspondence shall be directed to the Department Monitor, as follows:

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

6. 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 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.

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

Wisconsin Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

6/3/10
Date