

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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# FILE COPY

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LOIS JOHNSON, R.N.,  
RESPONDENT

FINAL DECISION  
AND ORDER

ORDER 0001730

The State of Wisconsin, Board of Nursing, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Hearing Examiner, makes the following:

## ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Hearing Examiner, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Board of Nursing. Let a copy of this order be served on the respondent by certified mail.

Dated this 11 day of Feb, 1982.

*Margaret J. Sundquist*

017-552

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LOIS JOHNSON, R.N.,  
RESPONDENT.

PROPOSED DECISION

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The parties to this proceeding for the purposes of Wis. Stats. sec. 227.16, are:

Lois Johnson  
Rural Route 3  
Ellsworth, Wisconsin 54011

Board of Nursing  
1400 East Washington Avenue, Room 174  
P. O. Box 8936  
Madison, Wisconsin 53708

A hearing was held in the above-captioned matter on November 12, 1981 commencing at 9:35 a.m. in Room 179B, 1400 East Washington Avenue, Madison, Wisconsin. Appearing at the hearing for the complainant was Attorney Steven M. Gloe, Department of Regulation and Licensing, Division of Enforcement. The respondent, Lois Johnson, did not appear at the hearing in person or by any representative.

Based upon the evidence in the record and the Complaint on file herein, the Hearing Examiner recommends that the Board of Nursing adopt as its final decision the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Lois Johnson (Johnson) was certified to practice as a registered nurse in the State of Wisconsin on November 1, 1972 (certification #57004).
2. Johnson's address is R. R. 3, Ellsworth, Wisconsin 54011.
3. Johnson's certificate to practice as a registered nurse in the State of Wisconsin expired on December 31, 1977, and has not been renewed since that date.
4. Subsequent to expiration of her certificate to practice on December 31, 1977, Johnson continued to practice as a registered nurse at the Piety Place Nursing Home, Ellsworth, Wisconsin, until June 6, 1980.

5. On October 29, 1981 the Hearing Examiner received a note from Johnson (Exhibit #2) stating as follows:

"I have recieved (sic) my notice of the hearing. I am fully aware of my wrong doings.

/s/ Lois Johnson"

#### CONCLUSIONS OF LAW

1. The Board of Nursing has jurisdiction in this proceeding pursuant to Wis. Stats. sec. 441.07.
2. Practicing as a registered nurse without having obtained a current registration constitutes a violation of Wis. Stats. sec. 441.06(4).
3. Pursuant to Wis. Stats. sec. 441.07(1)(b), a violation of Wis. Stats. sec. 441.06(4), constitutes a basis for suspension, revocation or limitation of Johnson's license or for reprimand by the Board of Nursing.

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the license of Lois Johnson shall be, and hereby is REVOKED.

#### OPINION

The Board of Nursing has authority to take disciplinary action against any licensee who violates any provision of Chapter 441 of the Wisconsin Statutes. See, Wis. Stats. sec. 441.07(1)(b). Wis. Stats. sec. 441.06(4), provides, in part:

"No person may practice or attempt to practice professional nursing, nor use the title, letters, or anything else to indicate that he or she is a registered or professional nurse unless he or she is registered under this section...."

The allegations in this Complaint are uncontradicted, and, indeed admitted by Ms. Johnson. (see, Exhibit #2). Ms. Johnson practiced as a registered nurse for nearly 2½ years without a current registration. She has paid neither the renewal nor late fee charges for the registration period of 1978-79 and 1980-81. The total delinquency payment due is \$105.00. (see, Exhibit #4).

Ms. Johnson did not appear at the hearing nor offer any reason, which was presented at the hearing, for her practicing without renewing her certificate. In the absence of any mitigating factors in record of

this case, Ms. Johnson's license to practice should be revoked. After one year she may, upon application, be reinstated by the board. See, Wis. Stats. sec. 441.07(2).

Dated at Madison, Wisconsin this 25<sup>th</sup> day of November, 1981.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Donald R. Rittel", written over a horizontal line.

Donald R. Rittel  
Hearing Examiner

121-290



State of Wisconsin

DEPARTMENT OF REGULATION & LICENSING

Lee Sherman Dreyfus  
Governor

Ann Jansen Haney  
Secretary

1400 E. WASHINGTON AVENUE  
MADISON, WISCONSIN 53702  
(Enter at 77 North Dickinson Street)

MAILING ADDRESS  
P.O. Box 8936  
MADISON, WISCONSIN 53708

February 15, 1982

Ms. Lois Johnson  
Route 3  
Ellsworth, WI 54011

Dear Ms. Johnson:

In meeting on February 11, 1982, the State of Wisconsin Board of Nursing took action to accept the Proposed Findings of Fact, Conclusions of Law and Order in your behalf. Upon taking this action, your certificate of registration is revoked.

We request that you return your original certificate to this office immediately.

We are enclosing a copy of the Order for your review. We are also enclosing a copy of the Nurse Practice Act with the section on revocation specifically marked. You will note that you may apply for reinstatement of your certificate after one year.

If you have any questions, please contact us.

Sincerely,

BUREAU OF NURSING

Paula R. Rossin  
Director

PRP/ms  
Enclosures

cc: Steven Gloe, Attorney