

## 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 CANCELLATION OF :  
THE LICENSE AS A TRAINED :  
PRACTICAL NURSE OF :

JACQUELINE CAROL JOHNSON, :  
APPLICANT. :

FINAL DECISION  
AND ORDER

ORDER 0001653

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 applicant by certified mail.

A party aggrieved by this decision may petition the board for rehearing within twenty (20) days after service of this decision pursuant to Wis. Stats. sec. 227.12. The party to be named as applicant in the petition is Jacqueline Carol Johnson.

A party aggrieved by this decision who is a resident of this state may also petition for judicial review by filing the petition in the office of the clerk of the circuit court for the county where the party aggrieved resides within thirty (30) days after service of this decision. A party aggrieved by this decision who is not a resident of this state must file the petition for judicial review in the office of the clerk of circuit court for Dane County. A party aggrieved must also serve the board and other parties with a copy of the petition for judicial review within thirty (30) days after service of this decision pursuant to Wis. Stats. sec. 227.16. The party to be named as respondent in the petition is the State of Wisconsin, Board of Nursing.

Dated this 28<sup>th</sup> day of November, 1983.

Vivian De Backer, ms

A Member of the Board

pc017-552

STATE OF WISCONSIN BEFORE THE  
BOARD OF NURSING

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IN THE MATTER OF CANCELLATION OF :  
THE LICENSE AS A TRAINED PRACTICAL :  
NURSE OF : PROPOSED DECISION  
  
JACQUELINE CAROL JOHNSON, :  
APPLICANT :  
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The parties to this proceeding for the purposes of Wis. Stats.  
sec. 227.16 are:

Jacqueline Carol Johnson  
1109 South 8th Street  
LaCrosse, WI 54601

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

Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Avenue, Room 183  
P.O. Box 8936  
Madison, WI 53708

A hearing was held in the above-captioned matter on October 11, 1983 at 1400 East Washington Avenue, Madison, Wisconsin. The complainant appeared by attorney, Steven M. Gloe, Department of Regulation and Licensing, Division of Enforcement. The applicant, Jacqueline Carol Johnson, did not appear at the hearing, nor did anyone appear upon her behalf.

Based upon evidence in the record, 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. Jacqueline Carol Johnson (hereinafter, applicant) was licensed under the provisions of Chapter 441 of the Wisconsin Statutes as a Trained Practical Nurse and held license 22987.
2. The applicant's address shown in the official files of the Department of Regulation and Licensing for the applicant is 1109 South 8th, LaCrosse, WI 54601.
3. On or about May 3, 1983, applicant applied for renewal of license number 22987. Payment of the renewal fee in the amount of \$25.00 was made by personal check drawn on the First National Bank. The personal check of

applicant was deposited for collection and returned to the Department of Regulation and Licensing on May 19, 1983 marked Nonsufficient Funds. On the basis of the applicant's application and payment by personal check of the renewal fee, the license was renewed.

4. Requests were mailed to the applicant seeking payment on the personal check on May 27, 1983, June 8, 1983, and June 29, 1983.

5. In spite of repeated attempts at collecting the renewal fee due, applicant has failed to pay the renewal fee owed.

#### CONCLUSION OF LAW

1. The Board of Nursing has jurisdiction in this proceeding pursuant to Wis. Stats. ch. 441 and Wis. Stats. sec. 20.905.

2. A license granted by the Board of Nursing upon a personal check not paid by the bank on which it is drawn may be cancelled pursuant to Wis. Stats. sec. 20.905(2).

#### ORDER

NOW, THEREFORE, IT IS ORDERED that the license of Jacqueline Carol Johnson to practice as a trained practical nurse (#22987) in the State of Wisconsin, shall be and hereby is cancelled.

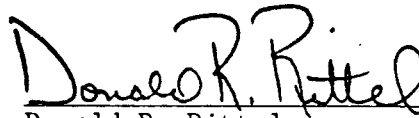
#### OPINION

On or about May 3, 1983 Jacqueline Carol Johnson applied for the renewal of her license to practice as a trained practical nurse. The renewal fee of \$25.00 was paid pursuant to her personal check. Subsequent to the renewal of the license, Ms. Johnson's check for the renewal fee was not honored by her bank because her account contained insufficient funds. Despite three contacts with Ms. Johnson in an attempt to collect the renewal fee, she has failed to provide the required payment.

Section 20.905(2) of the Wisconsin Statutes permits the Board of Nursing to cancel a license under the circumstances of this case. It is recommended that Ms. Johnson's license be cancelled.

Dated at Madison, Wisconsin this 21<sup>st</sup> day of October, 1983.

Respectfully submitted,



Donald R. Rittel  
Hearing Examiner