

## 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 THE DISCIPLINARY  
PROCEEDINGS AGAINST

ELLOUISE ANN WHITE, L.P.N.,  
RESPONDENT

FINAL DECISION AND ORDER

92 NUR ~~072~~ 071

ORDER 0001680

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Ellouise Ann White  
P.O. Box 072  
Alma, WI 54610

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

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. Ellouise Ann White, L.P.N. (D.O.B. 10/16/57) is duly licensed as a practical nurse in the state of Wisconsin (license # 31172).
2. Ms. White's most recent address on file with the Wisconsin Board of Nursing is P.O. Box 72, Alma, WI 54610.
3. On or about June 17, 1992, Ms. White was convicted of a crime substantially related to the practice of nursing.
4. In resolution of these proceedings, Ms. White consents to the entry of the following Conclusions of Law and Order.

## CONCLUSIONS OF LAW

By the conduct described above, Ellouise Ann White is subject to disciplinary

action against her license to practice as a practical nurse in the state of Wisconsin, pursuant to Wis. Stats. §441.07(1) and Wis. Adm. Code §N7.04(1).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the license of Ellouise Ann White to practice as a nurse in the state of Wisconsin shall be SUSPENDED for an INDEFINITE PERIOD of time.

Ms. White may petition the Board at any time after the effective date of this order for a stay of the suspension of her license. The petition should include documentation from a mental health care provider acceptable to the Board that Ms. White has undergone a current and complete mental health assessment and that Ms. White can safely return to nursing. The assessment shall occur within thirty (30) days of its submission and reflect that the person(s) performing the assessment received a copy of this Order as well as copies of Ms. White's criminal record for his or her use in conducting the assessment. The assessment shall include: a description of the assessment process utilized; diagnosis; and recommendations for future treatment and/or work restrictions.

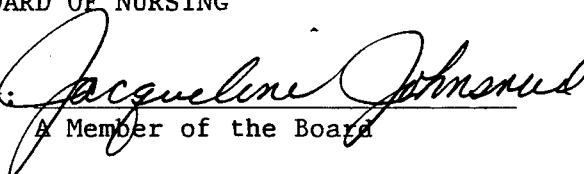
Upon its determination that Ellouise Ann White can safely and competently return to the active practice of nursing, the Board may stay the suspension, conditioned upon compliance with conditions and limitations the Board in the exercise of its discretion deems appropriate to protect public health, safety and welfare. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. §§227.01(3) and 227.42.

**Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Ms. White's license.**

This Order shall become effective upon the date of its signing.

BOARD OF NURSING

By:

 *Jacqueline Johnson* RN MS

A Member of the Board

Date

*6/8/93*

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
ELLOUISE ANN WHITE, L.P.N.,	:	92 NUR 072
RESPONDENT	:	

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It is hereby stipulated between Ellouise Ann White, personally on her own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of Ms. White's licensure by the Division of Enforcement (92 NUR 072). Ms. White consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Ms. White understands that by the signing of this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Ms. White is aware of her right to seek legal representation and has had an opportunity to obtain legal advice prior to signing this stipulation.

4. Ms. White agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. Attached to this Stipulation is the current licensure card of Ellouise Ann White. If the Board does not accept this Stipulation, the license of Ms. White shall be returned to her with a notice of the

Board's decision not to accept the Stipulation.

7. The parties to this stipulation agree that the attorney for the Division of Enforcement and the board member assigned as advisor to this case may appear before the Board of Nursing for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation. The parties agree that in conjunction with their deliberations, the Board may review copies of the criminal complaint and order of conviction of Ms. White in clarification of her conviction record.

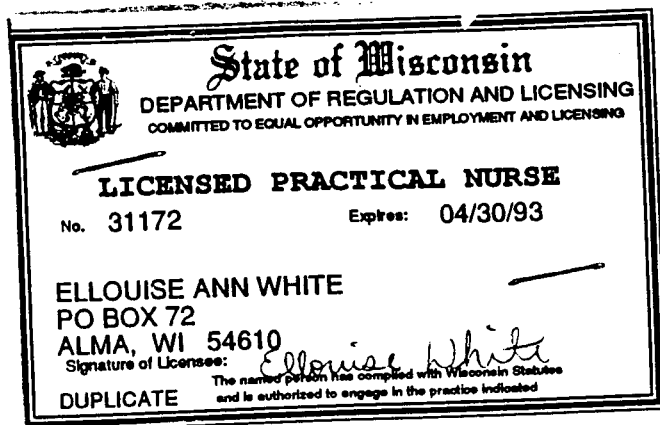
8. The Division of Enforcement joins Ms. White in recommending the Board of Nursing adopt this Stipulation and issue the attached Final Decision and Order.

Ellouise Ann White  
Ellouise Ann White

10/26/92  
Date

Steven M. Goe  
Steven M. Goe, Attorney  
Division of Enforcement

10.27.92  
Date



## **NOTICE OF APPEAL INFORMATION**

**(Notice of Rights for Rehearing or Judicial Review,  
the times allowed for each, and the identification  
of the party to be named as respondent)**

**The following notice is served on you as part of the final decision:**

### **1. Rehearing.**

**Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Board of Nursing.**

**A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.**

### **2. Judicial Review.**

**Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Board of Nursing**

**within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.**

**The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Board of Nursing.**

**The date of mailing of this decision is January 12, 1993.**



PDF: DE00000001259-19930108

Order Dates:

JAN 08, 1993

Respondent Names:

WHITE, ELLOUISE ANN, L.P.N.

Complaint IDs:

92NUR071

Profession:

LICENSED PRACTICAL NURSE

Boards:

NUR

Short Description:

SUSPENDED FOR AN INDEFINITE PERIOD OF TIME.

Case Summary:

ON OR ABOUT 6/17/92 WAS CONVICTED OF A CRIME SUBSTANTIALLY  
RELATED TO THE PRACTICE OF NURSING. IN RESOLUTION OF PROCEEDINGS  
CONSENTS TO THE SUSPENSION.

