

## 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 LICENSE OF

ROY M KAMINSKE, R.N.,  
RESPONDENT

:  
:  
:  
:  
:

FINAL DECISION AND ORDER  
93 NUR 087

ORDER 0001842

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

Roy M. Kaminske  
N2665 Melody Lane  
Waupaca, WI 54981

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. Roy M. Kaminske (D.O.B. 02/18/51) is duly licensed in the state of Wisconsin to practice as a registered nurse (license #88409). This license was first granted on August 21, 1984.
2. Mr. Kaminske's latest address on file with the Department of Regulation and Licensing is N2665 Melody Lane, Waupaca, WI 54981.
3. Mr. Kaminske's health prevents him from continuing with the practice of nursing at this time, and he has decided to voluntarily surrender his license to practice as a registered nurse in this state.
4. Mr. Kaminske consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

The Board of Nursing is authorized to impose the following Order against the license of Roy M. Kaminske to practice as a registered nurse in the state of Wisconsin, pursuant to Wis. Stats. §441.07(1) and Wis. Adm. Code §§N7.03(2) and (3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the State of Wisconsin Board of Nursing accepts the VOLUNTARY SURRENDER of the license of Roy M. Kaminske (#88409).

IT IS FURTHER ORDERED that should Mr. Kaminske reapply for Wisconsin licensure, the Board may in its sole discretion determine whether, and under what terms and conditions, this license may be reissued. In conjunction with a license application under this paragraph, Mr. Kaminske shall provide the Board with current releases complying with state and federal laws authorizing release of his medical records to the Board of Nursing.

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

*7/16/93*

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE LICENSE OF	:	
ROY M KAMINSKE, R.N.,	:	STIPULATION
RESPONDENT	:	93 NUR 087

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It is hereby stipulated between Roy M. Kaminske, personally on his 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 Mr. Kaminske's licensure by the Division of Enforcement (93 NUR 0087). Mr. Kaminske consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Mr. Kaminske understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, 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 him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; 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 him under the United States Constitution, the Americans with Disabilities Act of 1990, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Mr. Kaminske is aware of his right to seek legal representation and has been provided the opportunity to seek legal advice prior to signing this stipulation.

4. Mr. Kaminske 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. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Board of Nursing assigned as an advisor in this investigation 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.

7. The Division of Enforcement joins Mr. Kaminske in recommending the Board of Nursing adopt this Stipulation and issue the attached Final Decision and Order.

Roy M. Kaminske  
Roy M. Kaminske, R.N.

June 7, 1993  
Date

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

June 14, 1993  
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 July, 19, 1993.



PDF: DE00000001566-19930716

Order Dates:

JUL 16, 1993

Respondent Names:

KAMINSKE, ROY M., RN

Complaint IDs:

93NUR087

Profession:

REGISTERED NURSE

Boards:

NUR

Short Description:

VOLUNTARY SURRENDER ACCEPTED.

Case Summary:

HIS HEALTH PREVENTS HIM FROM CONTINUING WITH THE PRACTICE OF NURSING AT THIS TIME, AND HAS DECIDED TO VOLUNTARILY SURRENDER HIS LICENSE.

