

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

FILE COPY

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	
MICHAEL L. SAKALAUSKAS, RN,	:	FINAL DECISION AND ORDER
RESPONDENT	:	95 NUR 058

---

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

Michael L. Sakalauskas, RN  
PO Box 1574  
Kailua, HI 96734

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. Michael L. Sakalauskas (D.O.B. 12/17/51) is duly licensed in the state of Wisconsin as a registered nurse in the state of Wisconsin (license #61454). This license was first granted on December 6, 1974.

2. Mr. Sakalauskas' latest address known to the Department of Regulation and Licensing Division of Enforcement is PO Box 1574, Kailua, HI 96734.

3. Beginning in 1993, Mr. Sakalauskas has had disciplinary action taken against his nursing license in Louisiana, Hawaii, and Nevada. True and correct copies of the state Orders on file with the Division of Enforcement are attached to this Order as Exhibit A.

4. In resolution of this matter, Mr. Sakalauskas consents to the entry of the following Conclusions of Law and Order in resolution of this case.

### CONCLUSIONS OF LAW

By the conduct described above, Michael L. Sakalauskas is subject to disciplinary action against his license to practice as a registered nurse in the state of Wisconsin, pursuant to Wis. Stats. sec. 441.07(1)(c) and (d), and Wis. Adm. Code secs. N7.03(2) and 7.04(1),(2), (7) and (15).

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the license of Michael L. Sakalauskas shall be SUSPENDED for an INDEFINITE PERIOD of time.

(A) IT IS FURTHER ORDERED that Mr. Sakalauskas may petition the Board at any time for a stay of the suspension of his licensure. In conjunction with a petition by Mr. Sakalauskas, the Board shall require documentation of Mr. Sakalauskas' rehabilitation, such as: 1) documentation acceptable to the Board of continuous abstinence from the consumption of alcohol and controlled substances [unless prescribed for a legitimate medical purpose] by Mr. Sakalauskas for a period of at least thirty (30) days immediately prior to submission of the petition; 2) documentation of successful participation in a program for the treatment of chemical dependency to the completion of recommended therapy, or for a period of at least three months immediately prior to the submission of the petition; and 3) submission of a current chemical dependency assessment from a health care provider acceptable to the Board certifying that Mr. Sakalauskas is fit to safely return to practice as a nurse. To be considered current, the assessment shall occur within thirty (30) days from the date of its submission.

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.

(B) Upon its completion of review of a petition under this Order, the Board may in the exercise of its discretion either issue a full and unrestricted license to Mr. Sakalauskas, or in the alternative stay the suspension for a period of three (3) months, conditioned upon compliance with such terms and conditions as the Board finds appropriate. If the Board issues a three month stay

i. Michael L. Sakalauskas may apply for consecutive three (3) month extensions of the stay of suspension, which shall be granted upon acceptable demonstration of compliance with the conditions and limitations imposed upon Mr. Sakalauskas's practice during the prior three (3) month period.

ii. If the Board denies the petition by Mr. Sakalauskas for an extension, the Board shall afford an opportunity for hearing in accordance with the procedures set forth in Wis. Adm. Code Ch. RL 1 upon timely receipt of a request for hearing.

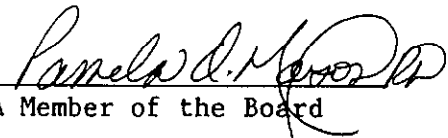
iii. Mr. Sakalauskas may petition the Board in conjunction with any application for an additional stay to revise or eliminate any of the conditions imposed upon his licensure. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. §§227.01(3) and 227.42.

(C) Violation of any of the terms of this Order or the conditions imposed as a result of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Mr. Sakalauskas's license; the Board in its discretion may in the alternative deny an extension of the stay of suspension or impose additional conditions and limitations other additional discipline for a violation of any of the terms of this Order.

(D) This Order shall become effective on the date of its signing.

BOARD OF NURSING

By:

  
A Member of the Board

9/8/95  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
MICHAEL L. SAKALAUSKAS, RN,	:	95 NUR 058
RESPONDENT	:	

---

It is hereby stipulated between Michael L. Sakalauskas, 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 in resolution of pending proceedings against the Respondent's license. The stipulation shall be presented directly to the Board of Nursing for its consideration and approval.

2. Mr. Sakalauskas 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 Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and the Americans with Disabilities Act of 1990.

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

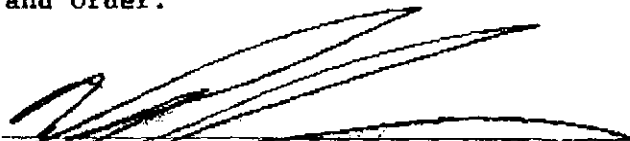
4. Mr. Sakalauskas agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights 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.

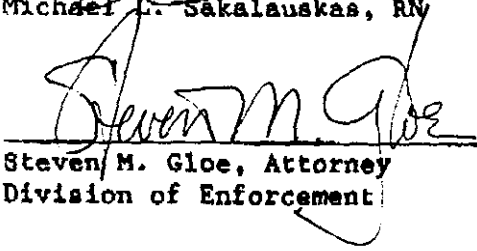
6. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Board of Nursing assigned as an

advisor in this investigation may appear before the Board 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. Sakalauskas in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Michael J. Sakalauskas, RN

7/27/95  
Date

  
Steven M. Gloe, Attorney  
Division of Enforcement

7/31/95  
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.**

**Serve Petition for Rehearing or Judicial Review on:**

\_\_\_\_\_  
THE STATE OF WISCONSIN BOARD OF NURSING.

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

**The Date of Mailing this Decision is:**

\_\_\_\_\_  
SEPTEMBER 12, 1995.

### 1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

### 2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)