

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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|                                   |   |                          |
|-----------------------------------|---|--------------------------|
| IN THE MATTER OF THE DISCIPLINARY | : |                          |
| PROCEEDINGS AGAINST               | : |                          |
|                                   | : | FINAL DECISION AND ORDER |
| THOMAS C. JIARDINI, R.N.,         | : | LS0407293NUR             |
| RESPONDENT                        | : |                          |

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Division of Enforcement Case Nos. 03 NUR 249

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Thomas C. Jiardini  
123 S. 79<sup>th</sup> St.  
Milwaukee, WI 53214

Board of Nursing  
Department of Regulation and Licensing  
Post Office Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
Post Office 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 the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

**FINDINGS OF FACT**

1. Thomas C. Jiardini (D.O.B. 06/28/1967) at all relevant times was licensed as a registered nurse in the state of Wisconsin (license #115650). This license was first granted on March 25, 1994. It expired on February 29, 2004.

2. Mr. Jiardini's most recent address on file with the Wisconsin Board of Nursing is 123 S. 79<sup>th</sup> St., Milwaukee, WI 53214.

3. In or about May of 1998, Mr. Jiardini was the subject of a disciplinary action at his place of employment for failing properly account for controlled substances.

4. Mr. Jiardini underwent an alcohol and drug abuse assessment. Mr. Jiardini was diagnosed with polysubstance dependence and depression/organic affective disorder. He participated in detoxification and outpatient treatment.

5. Treatment records indicate that Mr. Jiardini admitted to stealing medications from work:

*"The patient was able to identify consequences of use including concerned spouse and parents as well as stealing medications from work, diminished job performance and an OWI in January of 1997."*

6. On December 2, 1998, Mr. Jiardini entered the Impaired Professionals Procedure ("IPP") program. Disciplinary

proceedings against him were stayed pending completion of IPP.

7. In February of 2000, approximately one year after starting IPP, Mr. Jiardini allowed his license to expire and drop out of the IPP program, stating that he was working as a software trainer and would not practice as a nurse.

8. In October of 2002, approximately two and a half years after dropping out of IPP, Mr. Jiardini requested reinstatement. He was granted a limited license and admitted back into the IPP program.

9. In July, 2003, Mr. Jiardini requested a discharge from the IPP program and a return to full licensure. His request was denied by the Board of Nursing.

10. From March, 2003 to September, 2003, Mr. Jiardini did not submit any drug screen results as required by IPP.

11. On September 22, 2003, Mr. Jiardini was dismissed from the IPP program for failure to comply, and his 1998 disciplinary action was reinstated.

12. In or about August and September of 2003, Mr. Jiardini diverted narcotics from his place of employment.

13. On February 29, 2004, Mr. Jiardini failed to renew his license to practice as a registered nurse in the state of Wisconsin. However, because §440.08(3) Wis. Stats. allows for late renewals under some circumstances, Mr. Jiardini's failure to renew does not resolve this matter.

14. Respondent consents to the entry of the following Conclusions of Law and Order.

### **CONCLUSIONS OF LAW**

1. The Wisconsin Board of Nursing has jurisdiction in this proceeding pursuant to §441.07, Wis. Stats.

2. The Wisconsin Board of Nursing has the authority to resolve this disciplinary proceeding by stipulation without an evidentiary hearing pursuant to §227.44(5), Wis. Stats.

3. Mr. Jiardini's conduct as described above was conduct contrary to § 441.07(1)(d) Wis. Stats. and Wis. Admin. Code N 7.04(2).

4. The Wisconsin Board of Nursing has the authority pursuant to § 440.22, Wis. Stats., to assess the costs of this proceeding against Mr. Jiardini.

### **ORDER**

1. The stipulation of the parties is approved.

2. The Board of Nursing accepts the surrender by Thomas C. Jiardini, R.N. of his right to renew his license as a registered nurse and any right he may have to be granted a license as a nurse in the state of Wisconsin in the future, effective immediately.

3. In the event that Mr. Jiardini attempts to renew or reappplies for Wisconsin licensure as a nurse in the future, the Board shall enter an order denying such application without further notice or hearing.

4. Mr. Jiardini shall pay costs of this proceeding in the amount of Nine hundred dollars (\$900.00).

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

Jacqueline Johnsrud  
On Behalf of the Board

7-29-04  
Date