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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF
THE LICENSE OF

JAMES J. PIPER, R.N.,

ORDER AFFIRMING DENIAL OF
REINSTATEMENT

Petitioner.

LS0209056NUR

James J. Piper, R.N.
444 East Bluff
Madison, WI 53704

On March 10, 2005, the petitioner appeared before the Wisconsin Board of Nursing for a rehearing on the denial of his petition for reinstatement of his license by order of the Board dated December 17, 2004. Petitioner indicated in his request for rehearing that he had new evidence that would justify a modification of the order. The new information consisted of a court order dismissing a civil suit filed by the patient who had been sexually assaulted by the petitioner in June 2000 and for which the petitioner had been convicted of 2nd Degree Sexual Assault/Treatment Facility Employee, a violation of § 940.225(2)(g), Stats., a Class BC felony.

In addition to the dismissal of the patient's civil suit, petitioner submitted a statement prepared by an expert witness in connection with petitioner's administrative hearing before a military board, a copy of the patient's nursing flow sheets, and a copy of the physicians' clinical notes for the patient. Petitioner requested permission to request reinstatement after six months of therapy and requested that the Board approve his selection of an additional therapist.

Based upon all information of record herein, including the additional information presented by Petitioner, the Board of Nursing affirms its previous order denying the reinstatement of petitioner's license on the basis that the additional evidence is not relevant to petitioner's request for reinstatement as it does address his ability to safely return to nursing practice. The Board also determined that petitioner has failed to show why it would be appropriate for him to request reinstatement in six months as opposed to 24 months as ordered by the Board. Finally, since the petitioner's license has been revoked and is not subject to a monitoring order by the Board, the Board lacks jurisdiction to approve or disapprove his choice of a therapist. Therefore, the Board makes the following:

ORDER

NOW, THEREFORE, IT IS ORDERED that the request for a modification of the Board's order denying reinstatement of the revoked license of JAMES J. PIPER, R.N. (lic.#127193) to practice as a registered nurse in the state of Wisconsin is hereby AFFIRMED.

IT IS FURTHER ORDERED that the petitioner's request to submit another petition for reinstatement of his nursing license in six months is DENIED.

IT IS FURTHER ORDERED that the petitioner's request for approval of his choice of a therapist is hereby DENIED.

This Order is effective upon the date of signing.

STATE OF WISCONSIN
BOARD OF NURSING

Jacqueline A. Johnsrud, RN
Chairperson

3-22-05
Date