

# 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 LICENSE OF :  
 :  
 JULIE A. WHELAN, R.N., : FINAL DECISION AND ORDER  
 : LS05100611NUR  
 APPLICANT. :

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Division of Enforcement Case # 05 NUR 176

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Julie A. Whelan, R.N.  
3547 S. Garfield Avenue  
Minneapolis, MN 55408

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Board of Nursing  
Department of Regulation & Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

Julie A. Whelan, R.N., Applicant, applied for a license as a registered nurse by endorsement. Due to a Minnesota Board of Nursing Order currently in effect the Wisconsin Board of Nursing did not grant an unrestricted license. In lieu of a denial of license, 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 of Nursing. 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. Julie A. Whelan, R.N., 3547 S. Garfield Avenue, Minneapolis, Minnesota, born on August 19, 1970, is an applicant for a license as a registered nurse in the State of Wisconsin.
2. On October 7, 2004, the Minnesota Board of Nursing issued an Order suspending Applicant's license to practice as a Registered nurse for violation of nursing practice standards related to alcohol and other drugs. The suspension was stayed upon the condition that Applicant participate in the Health Professionals Services Program. Under this program, Applicant will be monitored for a period of 48 months after which the stay of suspension may be administratively removed from Applicant's license. A true and correct copy of the Minnesota Board's Order is attached to this document as Exhibit A. Exhibit A i:

incorporated into this document by reference.

3. Applicant consents to the issuance of the following Conclusions of Law and Order in resolution of this matter.

### CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.06 and Wis. Stat. §441.07, and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Julie A. Whelan, R.N., is granted a license as a registered nurse in the State of Wisconsin subject to the terms and limitations set out below.

IT IS FURTHER ORDERED that the license of Julie A. Whelan is LIMITED as follows:

2. Applicant shall arrange for the Minnesota Board to submit formal written reports to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Applicant's progress in the drug and alcohol treatment program. Applicant shall report immediately to the Department Monitor any violation or suspected violation of this Order.

3. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify the Department Monitor of any violations of any of the terms and conditions of this Order by Applicant. Additionally, every three (3) months the Applicant shall notify the Department Monitor of the Applicant's compliance with the terms and conditions of the Order, and shall provide the Department Monitor with a current address and home telephone number.

4. Julie A. Whelan shall not practice as a nurse under her Wisconsin license in any other nurse compact state other than Wisconsin.

5. The Applicant may, after the return of an unrestricted license in the State of Minnesota, petition for an end to the limited license in Wisconsin and the grant of an unrestricted license. In conjunction with any such petition, the Board may require sufficient proof that the Applicant is able to safely and competently practice nursing on an unrestricted license.

6. Applicant shall, within sixty (60) days from the date of this Order, pay costs of this proceeding in the amount of TWO HUNDRED (\$200.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 267-3817  
Fax (608) 266-2264

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Applicant's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event the Applicant fails to arrange for the submission of reports in compliance with the terms of paragraph 2 of this Order, fails to notify the Board as required in paragraph 3 of the Order, fails to pay costs as ordered or upon notice that the Applicant is not in full compliance with all terms and conditions of the Minnesota Board of Nursing Order, the Applicant's license SHALL BE

SUSPENDED until further order of the Board.

This Order is effective on the date of its signing.

BOARD OF NURSING

By: Jacqueline A. Johnsrud  
A Member of the Board

October 6, 2005  
Date