

# 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 APPLICATION OF REGISTERED :  
NURSE LICENSE FOR :  
 : **FINAL DECISION AND ORDER**  
SHANNON L. DEPTULA, RN :  
 :  
APPLICANT :  
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The parties to this action for the purposes of § 227.53, Wis. Stats., are:

Shannon L. Deptula  
2023 Continental Lane  
Cross Plains, WI 53528

Wisconsin 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 and order in this matter, subject to the approval of the Board. The Board has recommended the terms of this final decision and order, as stipulated, and finds it acceptable.

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

FINDINGS OF FACT

1. Shannon L. Deptula (dob: 10/07/73) was at all times relevant to the facts set forth herein, a registered nurse licensed in the State of Arizona pursuant to license #RN1020655. This license was first granted on October 23, 2002. Ms. Deptula was previously licensed in the state of Illinois and was granted licensure in Arizona by endorsement.
2. On September 21, 2005, the Arizona State Board of Nursing entered a Consent Agreement and Order No. 04042: which found that Ms. Deptula had violated the Nurse Practice Act in that state and placed Ms. Deptula’s license on probation for a period of twenty-four (24) months. The probation terms are set forth in detail in the attached copy of the Arizona Board of Nursing order. (Exhibit A).
3. Among the terms of probation are the requirements for psychological counseling and treatment, psychiatric medication management, random drug testing, abstinence from alcohol or unauthorized drug use, practice setting restrictions, quarterly work reports, supervision requirements, acceptable hours of work, and out-of-state practice and residence requirements.
4. In lieu of completing her requirements of the Arizona State Board of Nursing order, Ms. Deptula has changed her primary place of residence and applied for licensure in Wisconsin, a party state under the terms of the Nurse Licensure Compact. Ms Deptula has notified the Arizona Board of Nursing of her intent to seek licensure in Wisconsin.

CONCLUSIONS OF LAW

- A. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to §441.06(1) Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.
- B. The conduct referenced in paragraphs 2 and 3 above, constitutes a violation of §N 7.04(7) Wis. Adm. Code which defines misconduct or unprofessional conduct as having any disciplinary action through final board adjudication taken against one’s license in another jurisdiction.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED that the applicant, Shannon L. Deptula, shall be SUSPENDED INDEFINITELY, effective upon the date of this Order.

IT IS FURTHER ORDERED that the suspension of Ms. Deptula's license to practice as a registered nurse in Wisconsin shall be STAYED upon her compliance with the following terms and conditions:

#### STAY OF SUSPENSION

1. The suspension shall be stayed contingent upon Ms. Deptula's providing proof, which is determined by the Board or its designee to be sufficient, that she is in compliance with the provisions of this Order.
2. The Board or its designee may, without hearing, remove the stay upon receipt of information that Ms. Deptula is in substantial or repeated violation of any provision of this Order. Repeated violation is defined as the multiple violation of the same provision or violation of more than one provision.
3. This suspension becomes reinstated immediately upon notice of the removal of the stay either by:
  - (a) Mailing to Ms. Deptula's last-known address provided to the Department of Regulation and Licensing pursuant to Wis. Stat. § 440.11; or
  - (b) Actual notice to her or to her attorney.
4. The Board or its designee may reinstate the stay if provided with sufficient information that Ms. Deptula is in compliance with the Order and that it is appropriate for the stay to be reinstated. Reinstatement of the stay shall be wholly in the discretion of the Board or its designee.
5. If Ms. Deptula requests a hearing on the removal of the stay, a hearing shall be held using the procedures set forth in Wis. Admin. Code ch. RL 2. The hearing shall be held in a timely manner with the evidentiary portion of the hearing being completed within 60 days of receipt of the request, unless otherwise waived. Requesting a hearing does not stay the suspension during the hearing process.

#### SINGLE STATE WISCONSIN LICENSE

6. In compliance with the Nurse Licensure Compact, Article IV (d), Ms. Deptula shall submit proof to the Wisconsin Board of Nursing, or its designee, that she has changed her primary place of residence by moving between two party states (Arizona and Wisconsin) and upon obtaining her license in Wisconsin, the license from her former state (Arizona) shall no longer be valid. Ms. Deptula shall be issued a single-state or individual license, which shall authorize her to practice only in the state of Wisconsin subject to the limitations set forth herein.

#### TERMS AND CONDITIONS OF PRACTICE

7. Ms. Deptula must maintain abstinence from the unauthorized use of controlled substances.
8. Ms. Deptula shall be required to enroll in a pre-approved drug testing laboratory in the state of Wisconsin and submit to random drug screens, with screens to be performed at the frequency to be determined by the Board or its designee.
8. Ms. Deptula must provide proof that she is receiving on-going psychological counseling and treatment from a Board-approved provider, and that she is in compliance with her treatment regime, including medication management.
9. Ms. Deptula shall practice under the supervision of a licensed nurse or other licensed health care professional approved by the Board or its designee and only in a work setting pre-approved by the Board or its designee. Ms. Deptula's supervising nurse must submit quarterly work reports to the Board or its designee.
10. Ms. Deptula may work as a nurse in a setting in which she has access to controlled substances. The Board or its designee may restrict such access in a work setting, if based upon the recommendation of Ms. Deptula's health care provider or as a result of a board order violation.

#### SUBMISSIONS TO WISCONSIN MONITOR

11. Any submissions, petitions, reports, petitions and other information required by this Order shall be mailed, faxed or delivered to:

Department Monitor  
Wisconsin Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Ave.  
P.O. Box 8935

MODIFICATION OF BOARD ORDER

12. Ms. Deptula may petition the Board for modification or removal of the limitations upon her license. Any such petition shall be accompanied by a written recommendation from Ms. Deptula's health care provider expressly supporting the specific modifications sought. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Ms. Deptula shall not have a right to any further hearings or proceedings on the denial.
13. At the discretion of the Board, Ms. Deptula shall be required to make a personal appearance before the Board to answer any questions concerning her compliance with her Board order or her request for modification of this order.

COSTS OF COMPLIANCE

14. Ms. Deptula shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision and any other expenses associated with compliance with the terms of this Order. It shall be construed as violation of this Order, if Ms. Deptula is dismissed from a monitoring program for non-payment of costs. \_

ADDITIONAL DISCIPLINE

15. In addition to any other action authorized by this Order or law, violation of any term of this Order may be the basis for a separate disciplinary action pursuant to Wis. Stat. § 441.07.

Dated at Madison, Wisconsin this 26<sup>th</sup> day of January, 2006.

WISCONSIN BOARD OF NURSING

Marilyn Kaufmann Ph.D., RN  
Chair