

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
LOIS A. ROSE, R.N.,	:	LS07110816NUR
RESPONDENT.	:	

[Division of Enforcement Case # 06 NUR 245]

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

Lois A. Rose, R.N.  
2600 S. Chicago Avenue  
Upper Flat  
Milwaukee, WI 53172

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

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

PROCEDURAL HISTORY

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 this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Lois A. Rose, R.N., Respondent, date of birth October 22, 1946, is licensed by the Wisconsin Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 99208, which was first granted April 1, 1988.
2. Respondent's address of record with the Department of Regulation and Licensing is 2600 S. Chicago Avenue Upper Flat, Milwaukee, WI 53172.
3. Between March 1, 2006 and July 11, 2006, Respondent worked as a registered nurse in independent practice and was employed through the Wisconsin Department of Health and Family Services, Medicaid and Badgercare Programs. During the time period at issue, Respondent provided in-home nursing care for children on ventilators.
4. Respondent failed to renew her license when it expired on February 28, 2006.
5. From March 1, 2006 until she renewed her license on July 11, 2006, Respondent practiced as a registered nurse without a valid license to do so.

## CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter pursuant to Wis. Stat. § 441.07 and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).
2. Respondent, by practicing as a registered nurse without holding a current license as a registered nurse, violated Wis. Stat. § 441.06(4) and is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b).

## ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Lois A. Rose, R.N., is hereby REPRIMANDED for the above conduct.
2. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$386.69 pursuant to Wis. Stat. § 440.22(2).
3. Payment shall be mailed or delivered to:  
Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax (608) 266-2264  
Telephone (608) 267-3817

4. In the event that Respondent fails to pay costs as ordered, Respondent's license SHALL BE SUSPENDED without further notice or hearing, until Respondent has complied with the terms of this Order.

5. This Order is effective on the date of its signing.

Wisconsin Board of Nursing

By: Marilyn Kaufmann  
A Member of the Board

11/08/07  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
LOIS A. ROSE, R.N.,	:	LS _____ NUR
RESPONDENT.	:	

[Division of Enforcement Case # 06 NUR 245]

It is hereby stipulated and agreed, by and between Lois A. Rose, R.N., Respondent; Burton A. Wagner of Reinhar Boerner Van Deuren SC, attorneys for Respondent; and Sandra L. Nowack, attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Respondent’s licensure by the Division of Enforcement (file 06 NUR 245). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Respondent understands that by signing this Stipulation, she voluntarily and knowingly waives her rights, including the right to a hearing on the allegations against her, 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 her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; 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 her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Respondent has obtained advice of legal counsel prior to signing this Stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Board. 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 or other agent for the Division of Enforcement and any member of the Board ever assigned as a case advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or her

attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board’s deliberations on the Stipulation. Additionally, any such case advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board’s Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

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Lois A. Rose, R.N.  
Respondent  
2600 S. Chicago Avenue  
Upper Flat  
Milwaukee, WI 53172

\_\_\_\_\_  
Date

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Burton A. Wagner  
Reinhart Boerner Van Deuren SC  
Attorneys for Respondent  
P.O. Box 2018  
Madison, WI 53701-2018

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sandra L. Nowack  
Attorney for Complainant  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935

\_\_\_\_\_  
Date