

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF :  
THE LICENSE AND CERTIFICATION : ORDER DENYING  
APPLICATION OF : REQUEST FOR RECONSIDERATION  
:  
PETER V. WALTER, R.N., A.P.N.P. :  
:  
Petitioner : LS9807171NUR  
:  
:

---

TO: Peter V. Walter, R.N., A.P.N.P.,  
7300 W. Marine Drive  
Milwaukee, WI 53223

On December 13, 2007, the Wisconsin Board of Nursing (Board) reviewed the petitioner's Request for Reconsideration of the Board's Order dated August 30, 2007, Denying Reinstatement of Licensure. Based upon the information presented, the Board now finds and adopts the following:

PROCEDURAL HISTORY

1. On May 14, 1999, the Board revoked Peter V. Walter's license to practice as a registered nurse and his Advanced Practice Nurse Prescriber certificate, pursuant to the Findings of Fact, Conclusions of Law and Order of the Administrative Law Judge Ruby Jefferson-Moore, who conducted the Class II disciplinary hearing in the matter.
2. The revocation of Mr. Walter's nursing licenses was based upon the determination that petitioner's conduct was sufficiently egregious to require his removal from the nursing profession, as well as to assure protection of the public and to deter other licensees from engaging in similar behavior.
3. On February 1, 2002, the petitioner appeared before the Board to request reinstatement of his license. On May 8, 2002, the Board declined to reinstate Mr. Walter's nursing credentials noting the lack of a current AODA assessment, a complete psychological assessment by a pre-approved provider and his failure to pay the assessed costs in the Class II proceeding.
4. On July 13, 2007, the petitioner submitted an application for re-registration of his nursing credentials. In support of his application for re-registration, the petitioner disclosed his prior disciplinary action by the Board and indicated that he had three felony criminal convictions for fraud and theft offenses in 1999, which occurred after the revocation of his nursing credentials. The petitioner also submitted documentation from UW Milwaukee regarding his completion of a Business Administration (MBA) in 2003 and payment of the costs of assessed against him by the Board in the disciplinary proceeding.
5. On August 30, 2007, Board issued a decision denying the petitioner's request for reinstatement of his nursing credentials due to the egregious history of petitioner's misconduct and the lack of evidence of his rehabilitation.

6. On November 7, 2007, the petitioner submitted the current Request for Reconsideration of the Board's August 30 2007, decision claiming that his prior misconduct was due to his diagnosis of post traumatic stress disorder (PTSD) The information presented by the petitioner concerning military connected PTSD was not previously submitted to the Board with any of his prior requests for reinstatements or re-registration of his nursing credentials. Petitioner claims that he was diagnosed with PTSD in 2000 and has been in treatment with the Veterans Administration.
  
7. In further support of his request for reconsideration of the Board's Order, the petitioner claims that his prior alcohol and drug assessment and psychological assessment in 2002 is evidence of his rehabilitation. The petitioner did not provide any information regarding the completion of his criminal sentences, probation, restitution or fines in regard to his felony convictions.

### DECISION

Based upon the information presented, the Board finds that the petitioner has not established the grounds to warrant a reversal of the Board's August 30, 2007, Order Denying Request for Reinstatement of Licensure. The petitioner has not shown a material error of law, a material error of fact, or the discovery of new evidence sufficiently strong to reverse or modify the order, which could not have been previously discovered through due diligence. The additional information submitted by the petitioner regarding the determination by the Wisconsin Department of Veterans Affairs does not demonstrate a material error of law or fact by the Board in regard to the decision on the petitioner's application for re-registration of his credentials. No does this information constitute newly discovered evidence not previously discovered through due diligence. The Board declines to grant reconsideration of the decision to deny the petitioner's application for re-registration based upon the partial and incomplete information now presented because it was available and known to the petitioner prior to his application for re-registration of his credentials. The petitioner did not submit this information to the Board at the time of its' August 30, 2007 decision. Finally, the petitioner's prior AODA and psychological assessments fail to address the issue of his rehabilitation with regard to his felony criminal convictions, which are substantially related to the practice of nursing.

### ORDER

NOW, THEREFORE, IT IS ORDERED that petitioner's Request for Reconsideration of the Board's Order is DENIED. IT IS FURTHER ORDERED that the August 30, 2007, Order Denying Reinstatement of Licensure is hereby AFFIRMED.

Dated this 13<sup>th</sup> day of December, 2007.

STATE OF WISCONSIN  
BOARD OF NURSING

Marilyn Kaufmann, RN, PhD  
Chair

12/13/2007

### NOTICE OF RIGHT TO HEARING ON CREDENTIAL DENIAL

PLEASE NOTE that you have a right to a hearing on the denial of the licensure requested if you file a request for a hearing in accordance with the provisions of CH. RL 1 of the Wisconsin Administrative Code. You may request such hearing if your request is received in the office of the Department of Regulation and Licensing, 1400 East Washington Avenue, Madison, Wisconsin, within 45 days of the date of this notice of decision. The request must include your

name and address, the type of license for which you have applied, the reason why you have requested a hearing, the facts which you intend to prove at a hearing, and the explanation of the mistake you believe was made, if you claim that denial of the license based on a mistake in fact or law. Within 45 days of receipt of a request for a hearing, the board shall grant or deny the request, but the request will be granted if the foregoing requirements are met. If the request for hearing is granted, you will be notified of the time, place and nature of the hearing. If the request for a hearing is denied, you will be notified in writing of the reason for denial. Time periods for a petition for review begin to run 45 days after the Board of Nursing has received a request for a hearing and has not responded.