

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
JENNIFER L. WALLOCK, R.N., : Order : 0000107
RESPONDENT. :

Division of Enforcement Case # 09 NUR 402

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

Jennifer L. Wallock, R.N.
P.O. Box 926
Grafton, WI 53024

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

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. Jennifer L. Wallock, R.N., (DOB 01/05/1972) is duly licensed as a registered nurse in the State of Wisconsin (license # 30- 144740). This license was first granted on August 7, 2003.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is N 61 W 5919 Columbia Road, Cedarburg, Wisconsin, 53012. She has requested that mail be sent to P.O. Box 926, Grafton, Wisconsin, 53024.

3. Beginning in approximately November or December of 2007, and at various times until approximately October, 2008, Respondent had consensual sexual contact, including at times sexual intercourse, with a child age 15-16 years old.

4. Respondent pled guilty to second degree sexual assault of a child. She was sentenced to two years in prison, and four years extended supervision.

CONCLUSIONS OF LAW

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

2. The conduct described in paragraphs 3-4 above constitutes a violation of Wisconsin Administrative Code § N 7.04(1) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

IT IS ORDERED:

1. The license of Jennifer L. Wallock, R.N. to practice nursing in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are **SUSPENDED** for an indefinite period of no less than two years.

(a) After two years from the date of this order, Respondent may petition the Board to end the suspension. Prior to the suspension being lifted, Respondent shall have, at Respondent's own expense, undergone an assessment by a therapist with experience in the diagnosis and treatment of sex offenders. The assessor must not have treated Respondent at any time and shall have been approved by the Board, with an opportunity for the Division to make its recommendation, prior to the assessment being performed.

(b) The Division shall provide the assessor and Respondent with those portions of the investigative file which the Division believes may be of assistance in performing the assessment. Respondent may provide the assessor with any information Respondent believes will be of assistance in performing the assessment and shall immediately provide copies of that information to the Division.

(c) Respondent shall authorize the assessor to provide the Board, or its designee, and the Division with the assessment report and all

materials used in performing the assessment and shall provide the Board, or its designee, and the Division with the opportunity to discuss the assessment and findings with the assessor.

- (d) The assessor shall have provided an opinion to a reasonable degree of professional certainty that Respondent is able to practice nursing with reasonable skill and safety of patients and public and does not suffer from any condition which prevents her from practicing in that manner. This opinion must be accompanied by the assessor's reasoning, articulated to the Board's satisfaction. If the assessor has rendered the opinion required above and supported that opinion to the Board's satisfaction, then the Board may remove the suspension.

2. The license of Jennifer L. Wallock, R.N. to practice nursing in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

- (a) Respondent shall not practice nursing with children under the age of 18 years old;
- (b) Respondent shall not practice nursing in any setting in which she would have unsupervised contact with children under the age of 18 years old.
- (c) Respondent shall not practice in any home care setting.
- (d) For a period of at least two (2) years from the date on which the suspension is lifted, Respondent shall arrange for quarterly reports from her nursing employer(s) reporting the terms and conditions of her employment and evaluating her work performance. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing Division of Enforcement, at P.O. Box 8935, Madison, Wisconsin, 53708-8935.
- (e) Respondent shall notify the Department Monitor of any change of nursing employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.

3. Respondent shall, within ninety (90) days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of Two Hundred Dollars (\$200.00), pursuant to Wis. Stat. § 440.22(2).

4. All payments, reports and other correspondence shall be directed to the Department Monitor, as follows:

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

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 Respondent'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 that Respondent fails to pay costs as ordered, Respondent's license may, in the discretion of the Board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with the terms of this Order.

6. If Respondent believes that the Board's refusal to end the suspension is inappropriate or that any limitation imposed or maintained by the Board is inappropriate, Respondent may seek a class 1 hearing pursuant to Wis. Stat. § 227.01(3)(a), in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious. The suspension or limitations on Respondent's license shall remain in effect until there is a final decision in Respondent's favor on the issue.

7. During the pendency of this Order and any subsequent related orders, Respondent may not practice in another state pursuant to the Nurse Licensure Compact under the authority of a Wisconsin license, unless Respondent receives prior written authorization to do so from both the Wisconsin Board of Nursing and the regulatory board in the other state.

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

Wisconsin Board of Nursing

By: Karen Sui
A Member of the Board

3/25/10
Date