

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KRISTIN K. CARLSON, R.N.,
RESPONDENT.

:
:
:
: ORDER FIXING COSTS
: Order0000290
: DOE Case Nos. 06NUR071, 07NUR264
:

On July 22, 2010, the Board of Nursing filed its Final Decision and Order in the above-captioned matter by which the board ordered that pursuant to sec. 440.22, Wis. Stats., the costs of this proceeding be assessed against respondent. Pursuant to sec. RL 2.18 (4), Wis. Admin. Code, on or about July 23, 2010, the Board of Nursing received the Affidavits of Costs of the Division of Enforcement in the amount of \$1,118.92, filed by Attorney Sandra Nowack. On or about July 27, 2010, the Board of Nursing received the Affidavit of Costs of the Division of Hearings and Appeals in the amount of \$372.10, filed by Administrative Law Judge Amanda Tollefsen. The Board of Nursing considered the Affidavits of Costs on September 2, 2010, and orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that pursuant to sec. 440.22, Wis. Stats., the costs of this proceeding in the amount of \$1,491.02, set forth in the Affidavits of Costs of Attorney Sandra Nowack and Administrative Law Judge Amanda Tollefsen, which are attached hereto and made a part hereof, are hereby assessed against respondent, and shall be payable by respondent to the Department of Regulation and Licensing. **Failure of respondent to make payment on or before October 2, 2010, shall constitute a violation of the Order unless respondent petitions for and the board grants a different deadline.** Under sec. 440.22 (3), Wis. Stats., the Department of Regulation and Licensing may not restore, renew or otherwise issue any credential to the respondent until respondent has made payment to the department in the full amount assessed.

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

Dated this 2nd day of September, 2010.

BOARD OF NURSING

By: _____

Kathleen Sullivan
Member of the Board

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSINGIN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

KRISTIN CARLSON

RESPONDENT

AFFIDAVIT OF COSTS

06 NUR 071

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Being duly on affirmation, the undersigned employee of the Department of Regulation and Licensing, upon information and belief, deposes and states as follows:

That set out below are the costs of the proceeding accrued to the Division of Enforcement in this matter, based upon Division of Enforcement records compiled in the regular course of agency business in the above-captioned matter.

INVESTIGATOR EXPENSE — Elyse Horak

DATE		HOURS	MINUTES
02/06/2009	rec'd and review cert. crim. complaint	0	5
02/04/2009	email case adv	0	5
02/04/2009	review file, case summary, consult w/ SR	3	0
02/02/2009	phn calls to R, interview w/ R, memo of phn call, discuss w/ atty SN	0	55
01/30/2009	prep for phone interview	0	10
01/28/2009	review notes from SN, consult w/ SR, ltr to Outagamie Co	0	20
01/14/2009	review file, check ICE, check CCAP, enter info into spreadsheet	0	25
TOTAL INVESTIGATOR EXPENSE —		5 HOURS AND	0 MINUTES
(Based on their average salary and benefits at the Division of Enforcement)			
		TOTALS	5 0
AT \$29.00 PER HOUR = \$145.00			

PARALEGAL EXPENSE — Beth Cramton

DATE		HOURS	MINUTES
02/05/2010	Stipulation and FDO sent to r	0	30
TOTAL PARALEGAL EXPENSE —		0 HOURS AND	30 MINUTES
(Based on their average salary and benefits at the Division of Enforcement)			
		TOTALS	0 30
AT \$29.00 PER HOUR = \$14.50			

PARALEGAL EXPENSE — Jan Johnson

DATE		HOURS	MINUTES
02/05/2010	Receive ret'd cert mail card; make copy; send orig doc's (cmp/hn/aff serv/cert mail cards) to DHA; file (1/2)	0	10
01/21/2010	Process aff serv; file; return file to SN (1/2)	0	5
01/20/2010	Finalize hn-have SN sign; prep & process-file/serve cmp/hn (deliver to post office); draft aff serv; create pleadings file (1/2)	0	25
01/19/2010	Ck ICE; edit cmp/hn; to & disc w/ SN; receive final cmp (1/2)	0	10
01/14/2010	Receive file; disc w/ SN	0	5
12/03/2009	File to & disc w/ SN re status	0	5
11/24/2009	Ck notes; ck CTS; pull file; ck ICE; format & rough draft of cmp; draft hearing notice (hn) (1/2)	0	35
08/28/2009	Disc w/ SN-update; SN tele call to R	0	10
06/03/2009	Receive ret'd cert mail card; file	0	5
05/19/2009	Review VM msg from R's prob agent w/ current address; ck ICE; draft ltr to R & send (certified) w/ copy of SN's 4/3 ltr & stip/fd&o; tickle calendar; file (1/2)	0	20
05/14/2009	Ck tickler; ck CTS; disc w/ SN re direction; SN called prob agent/msg to call w/ R's current address	0	10
04/03/2009	Review SN's e-mail; ck ICE; proof/edit SN's ltr to Respondent (R); ck costs rpt; proof/edit fd&o; finalize stip-have SN sign; make copies & send; tickle calendar; return file to SN (1/2)	0	25

AFFIDAVIT OF COSTS

PAGE # 2

03/03/2009 Review/finish rough draft/skeletal fd&o; to & disc w/ SN (1/2)
 03/02/2009 Refresh; continue drafting fd&o (1/2)
 02/26/2009 Review file/police & ct rec's; draft stip; format & start drafting fd&o (1/2)
 02/25/2009 Review file (1/2)

0	5
0	45
1	10
0	40

TOTAL PARALEGAL EXPENSE --- 5 HOURS AND 25 MINUTES
 (Based on their average salary and benefits at the Division of Enforcement)

TOTALS

HOURS	MINUTES
5	25

AT \$29.00 PER HOUR = \$157.08

PARALEGAL EXPENSE --- Lori Graf

DATE		HOURS	MINUTES
06/28/2010	Disc. w/ SN re case status	0	5
04/06/2010	Proof Motion for disc. & costs; edit; make copies; mail to ALJ and R.	0	45
03/31/2010	Review file; Draft motion for disc & costs.	1	30

TOTAL PARALEGAL EXPENSE --- 2 HOURS AND 20 MINUTES
 (Based on their average salary and benefits at the Division of Enforcement)

TOTALS

HOURS	MINUTES
2	20

AT \$29.00 PER HOUR = \$67.67

PROSECUTING ATTORNEY EXPENSE --- Sandra Nowack

DATE		HOURS	MINUTES
05/13/2010	recv proposed decision, no objections, to LG for final closing	0	15
03/30/2010	Prep for phc, phc, to lg for paralegal draft costs and discipline	0	45
03/10/2010	docket hearing notice	0	10
02/04/2010	mess from r, wants to surrender, rev documents, em to bc request response frm R in 10 days or we go through w/default..em to ALJ	0	40
02/04/2010	attempted fone call...recvd message that she wants to surrender. will do stip and em ALJ	0	5
01/19/2010	rev, edit complaint	1	10
01/16/2010	rev file, ca advisor, em to jj, file to jj	1	0
08/28/2009	call to sched update, advised re poss default and costs, to call JJ to schedule telephone conf 9/8-11	0	10
01/16/2009	rev file, res, notes to sr	1	0

TOTAL PROSECUTING ATTORNEY EXPENSE --- 5 HOURS AND 15 MINUTES
 (Based on their average salary and benefits at the Division of Enforcement)

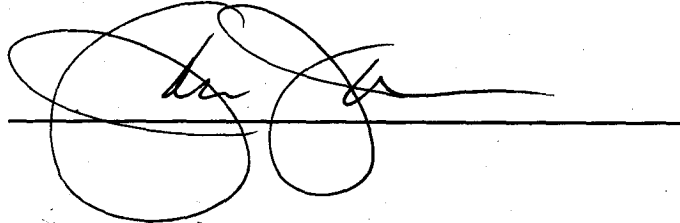
TOTALS

HOURS	MINUTES
5	15

AT \$61.00 PER HOUR = \$320.25

EXPENSE SUMMARY

PARALEGAL EXPENSE	Jan Johnson	\$157.08
PARALEGAL EXPENSE	Beth Cramton	\$14.50
PARALEGAL EXPENSE	Lori Graf	\$67.67
INVESTIGATOR EXPENSE	Elyse Horak	\$145.00
PROSECUTING ATTORNEY EXPENSE	Sandra Nowack	\$320.25
TOTAL ASSESSABLE COST >>>		\$704.50



Subscribed and affirmed to before me this
7/23/2010

Notary Public

My commission

Sandra K. Nowack
is permanent.

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

KRISTIN CARLSON
RESPONDENT

AFFIDAVIT OF COSTS

07 NUR 264

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Being duly on affirmation, the undersigned employee of the Department of Regulation and Licensing, upon information and belief, deposes and states as follows:

That set out below are the costs of the proceeding accrued to the Division of Enforcement in this matter, based upon Division of Enforcement records compiled in the regular course of agency business in the above-captioned matter.

INVESTIGATOR EXPENSE — Elyse Horak			
DATE		HOURS	MINUTES
02/06/2009	rec'd and reviewed cert. crim complaint	0	5
02/04/2009	email case adv	0	5
02/04/2009	review file, case summary, consult w/ SR	3	0
02/02/2009	phn calls to R, interview w/ R, memo of phn call, discuss w/ SN	0	55
01/30/2009	prep for phone interview	0	10
01/28/2009	review notes from SN, consult w/ SR, ltr to Outagamie Co	0	20
01/14/2009	review file, disc w/ SR, enter info into spreadsheet	0	30
TOTAL INVESTIGATOR EXPENSE —		5 HOURS AND	5 MINUTES
(Based on their average salary and benefits at the Division of Enforcement)			
		TOTALS	5 5
AT \$29.00 PER HOUR = \$147.42			

PARALEGAL EXPENSE — Jan Johnson			
DATE		HOURS	MINUTES
02/05/2010	Receive ret'd cert mail card; make copy; send orig doc's (cmp/hn/aff serv/cert mail cards) to DHA; file (1/2)	0	10
01/21/2010	Process aff serv; file; return file to SN (1/2)	0	5
01/20/2010	Finalize hn-have SN sign; prep & process-file/serve cmp/hn (deliver to post office); draft aff serv; create pleadings file (1/2)	0	25
01/19/2010	Ck ICE; edit cmp/hn; to & disc w/ SN; receive final cmp (1/2)	0	10
01/14/2010	Receive file; disc w/ SN	0	5
11/24/2009	Ck notes; ck CTS; pull file; ck ICE; format & rough draft of cmp; draft hearing notice (hn) (1/2)	0	35
05/19/2009	Review VM msg from R's prob agent w/ current address; ck ICE; draft ltr to R & send (certified) w/ copy of SN's 4/3 ltr & stip/fd&o; tickle calendar; file (1/2)	0	20
04/03/2009	Review SN's e-mail; ck ICE; proof/edit SN's ltr to Respondent (R); ck costs rpt; proof/edit fd&o; finalize stip-have SN sign; make copies & send; tickle calendar; return file to SN (1/2)	0	25
03/03/2009	Review/finish rough draft/skeletal fd&o; to & disc w/ SN (1/2)	0	10
03/02/2009	Refresh; continue drafting fd&o (1/2)	0	45
02/26/2009	Review file/police & ct rec's; draft stip; format & start drafting fd&o (1/2)	1	10
02/25/2009	Review file (1/2)	0	40
TOTAL PARALEGAL EXPENSE —		5 HOURS AND	0 MINUTES
(Based on their average salary and benefits at the Division of Enforcement)			
		TOTALS	5 0
AT \$29.00 PER HOUR = \$145.00			

PROSECUTING ATTORNEY EXPENSE — Sandra Nowack			
DATE		HOURS	MINUTES
04/02/2009	rev files, draft corr and finals, files to jj	2	0

TOTAL PROSECUTING ATTORNEY EXPENSE --- 2 HOURS AND 0 MINUTES
(Based on their average salary and benefits at the Division of Enforcement)

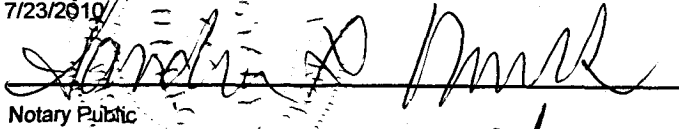
	HOURS	MINUTES
TOTALS	2	0

AT \$61.00 PER HOUR = \$122.00

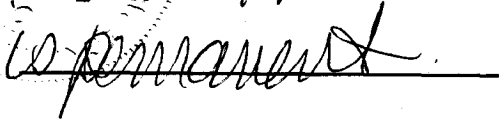
EXPENSE SUMMARY

PARALEGAL EXPENSE	Jan Johnson	\$145.00
INVESTIGATOR EXPENSE	Elyse Horak	\$147.42
PROSECUTING ATTORNEY EXPENSE	Sandra Nowack	\$122.00
TOTAL ASSESSABLE COST >>>		\$414.42

Subscribed and affirmed to before me this
7/23/2010


Notary Public

My commission


to permanent



Before The
State Of Wisconsin
DIVISION OF HEARINGS AND APPEALS

In the Matter of the Disciplinary Proceedings Against
KRISTIN K. CARLSON, Respondent

AFFIDAVIT OF COSTS
DHA Case No. DRL-10-0009

DOE Case Nos. 06 NUR 071 and 07 NUR 264

Amanda Tollefsen, affirms the following before a notary public for use in this action, subject to the penalties for perjury in Wis. Stat. § 946.31:

1. I am an administrative law judge/attorney licensed to practice law in the State of Wisconsin, and am employed by the Wisconsin Division of Hearings and Appeals. I served as the Administrative Law Judge in the above-captioned matter.

2. This affidavit sets forth the costs and expenses incurred in this matter based upon my contemporaneous time keeping entries in connection with the hearing.

1/25/2010	FR, tickler	12 MINUTES
2/16/2010	Scheduled PHC, DRFT Notice	12 MINUTES
3/9/2010	FR, PHC (no Atty Nowack), T Atty Nowack, Rescheduled PHC, DRFT Notice	24 MINUTES
3/30/2010	PHC, DRFT Default Notice	18 MINUTES
5/10/10	DRFT PROPOSED DECISION	1 HOUR, 30 MINUTES
5/11/10	DRFT PROPOSED DECISION	1 HOUR, 30 MINUTES
5/12/10	COMPLETED PROPOSED DECISION, ETC.	2 HOURS

3. That upon information and belief the total assessable costs for the Division of Hearings and Appeals are as follows:

A. Administrative Law Judge: 6.1 hours at \$61.00 per hour = \$372.10.

Dated this 27 day of July, 2010.

By: Amanda Tollefsen
Amanda Tollefsen
Administrative Law Judge
Division of Hearings and Appeals

Subscribed and sworn to before me this
27th day of July, 2010

Jane H. Richard
NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION EXPIRES ON 06/26/11.

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