

# 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 DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
SONYA M. SMITH, L.P.N.,	:	Order <u>0000 938</u>
RESPONDENT.	:	

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Division of Enforcement Case No. 10NUR598

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

Sonya M. Smith, L.P.N.  
389 Dakota Ave.  
Roberts, WI 54023

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

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. 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. Sonya M. Smith, L.P.N., (D.O.B. 07/31/1957) is duly licensed in the state of Wisconsin as a practical nurse (license No. 311579-31). This license was first granted on July 15, 2009.
2. Respondent's address of record on file with the Board of Nursing is 389 Dakota Ave., Roberts, WI 54023.

3. On February 26, 2010, the Minnesota Board of Nursing (Board) received Respondent's *Application for Licensure as a Licensed Practical Nurse by Endorsement*. Respondent reported her most recent nursing practice was in Minnesota and the last date of practice was February 26, 2010.

4. In a letter responding to a Board inquiry received March 28, 2010, Respondent stated she "never practiced or volunteered as a LPN in the state of Minnesota." The job description Respondent attached to the letter listed Respondent's title as "nurse" and stated the position required licensure as a registered nurse or licensed practical nurse. Respondent's employment record indicates she was hired as a licensed practical nurse on December 21, 2009 and she was in that position until March 13, 2010, when she became a nursing assistant.

5. The Board asked Respondent to respond to the discrepancy in dates between her response her employment records. Respondent stated she thought she could work as a licensed practical nurse in Minnesota with her Wisconsin license until obtaining Minnesota licensure. Respondent admitted she had practiced nursing in Minnesota from December 21, 2009 through March 13, 2010.

6. On April 28, 2010, the Board issued Respondent a license to practice practical nursing in Minnesota.

7. On June 3, 2010, Respondent entered into a Stipulation and Consent Order with the Minnesota Board of Nursing for practicing in Minnesota without a license and for initially falsely responding to a Board inquiry. Respondent was reprimanded and ordered to pay a forfeiture of \$425.

8. Minnesota has a temporary permit system, which allows for practice while an application is processed given that certain requirements are met. Respondent could have obtained such a permit.

#### CONCLUSION OF LAW

By the conduct described above, respondent is subject to disciplinary action against her license to practice as a nurse in the state of Wisconsin, pursuant to Wis. Stat. § 441.07(1)(b), (c) and (d), and Wis. Admin. Code § N 7.04(7).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Sonya M. Smith, L.P.N., is REPRIMANDED for her unprofessional conduct in this matter.

IT IS FURTHER ORDERED that respondent shall pay the costs of investigating and prosecuting this matter, in the amount of \$200.00, within 90 days of this Order. If not paid,

Respondent's license may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until they are paid in full, including any accrued interest.

WISCONSIN BOARD OF NURSING

By: Lachlan Smeaton  
A Member of the Board

5-5-11  
Date

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