

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
DIANE B. STEGALL DUPREE, R.N.,	:	
RESPONDENT.	:	ORDER 0002042

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Division of Enforcement Case No. 11NUR687

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

Diane B. Stegall Dupree, R.N.  
4641 N. 48<sup>th</sup> Street  
Milwaukee, WI 53218

Division of Enforcement  
Department of Safety and Professional Services  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Board of Nursing  
Department of Safety and Professional Services  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

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. Diane B. Stegall Dupree, R.N., (DOB 06/10/1974) is licensed as a professional nurse in the State of Wisconsin (license no. 157360-30). This license was first granted on February 21, 2007.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 4641 N. 48<sup>th</sup> Street, Milwaukee, WI 53218.

3. At all times relevant, Respondent was employed as a professional nurse at Community Memorial Hospital ("Hospital") in Menomonee Falls, Wisconsin.

4. On November 26, 2011, Respondent accessed a Hospital physician's medical record without a legitimate purpose in the course of her nursing practice.

5. Between December 3, 2011 and December 5, 2011, Respondent accessed medical records for 12 different patients without a legitimate purpose in the course of her nursing practice.

6. On December 28, 2011, Respondent's employment at the Hospital was terminated due to her violation of the Hospital's Policy.

#### 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 4-5 above constitutes a violation of Wis. Admin. Code § N 7.04(1) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

#### ORDER

##### IT IS ORDERED:

1. Diane B. Stegall Dupree, R.N., is REPRIMANDED.

2. The license of Diane B. Stegall Dupree, 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, at her own expense, shall complete two (2) hours of pre-approved continuing education in ethics and professionalism, 2 hours of pre-approved continuing education in HIPAA, and 2 hours of pre-approved continuing education in professional accountability, within 90 days of the date of this Order. Respondent is responsible for finding an appropriate course and submitting the course information to the Board for approval prior to taking the course and in sufficient time to obtain board approval within the 90-day time frame, taking into

account the board's meeting schedule. Respondent shall provide proof of completion of the continuing education to the Department Monitor.

3. Upon successful completion of the ordered continuing education, Respondent may petition the board for the modification or termination of the limitation. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit.

4. Respondent shall, within one hundred twenty (120) days of the date of this Order, pay to the Department of Safety and Professional Services costs of this proceeding in the amount of Two Hundred Fifty Dollars (\$250.00) pursuant to Wis. Stat. § 440.22(2).

5. All petitions, payments, reports and other correspondence shall be mailed or delivered to:

Department Monitor  
Department of Safety and Professional Services  
Division of Enforcement  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax (608) 266-2264  
Telephone (608) 267-3817

6. 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 timely submit payment of the costs as ordered or fails to comply with the ordered continuing education as set forth above, Respondent's license (no. 157360-30) 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.

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

Wisconsin Board of Nursing

By: Julie Nelson RN  
A Member of the Board

Sept. 13, 2012  
Date