

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
KELLY R. BARISAS, R.N.,	:	
RESPONDENT.	:	ORDER 0002187

Division of Enforcement Case No. 12NUR160

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

Kelly R. Barisas, R.N.
1826 E. Bennett Avenue
Milwaukee, WI 53207

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. Kelly R. Barisas, R.N., (DOB 07/03/1974) is licensed as a professional nurse in the State of Wisconsin (license no. 134336-30). This license was first granted on March 7, 2000.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 1826 E. Bennett Avenue, Milwaukee, WI 53207.

3. At all times relevant, Respondent was employed as an independent professional nurse providing care to Patient A, who is tracheostomy dependent and has numerous complex medical issues.

4. While providing care for Patient A, Respondent allowed Patient A to stay at Respondent's house overnight approximately six to twelve times over the course of eight to nine months. Respondent believed that the overnight care was medically necessary due to extenuating circumstances.

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. Kelly R. Barisas, R.N., is REPRIMANDED.
2. The license of Kelly R. Barisas, 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 four (4) hours of pre-approved continuing education addressing professional boundaries, 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. 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 Five Hundred Dollars (\$500.00) pursuant to Wis. Stat. § 440.22(2).

4. 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

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 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. 134336-30) 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.

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

Wisconsin Board of Nursing

By:

Julia Nelson, RN
A Member of the Board

Date

12/16/12