

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

KAWANA HICKMAN, L.P.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: ORDER 0002526
:

Division of Legal Services and Compliance Case No. 13 NUR 269

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

Kawana Hickman, L.P.N.
4054 North Sherman Boulevard
Milwaukee, WI 53216

Wisconsin Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
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 disposition of this matter, subject to the approval of the Wisconsin Board of Nursing (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Kawana Hickman, L.P.N., (dob June 10, 1976) is licensed in the State of Wisconsin as a practical nurse, having license number 302249-31, first issued on September 17, 1999 and current through April 30, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 4054 North Sherman Boulevard, Milwaukee, Wisconsin 53216.

2. On April 29, 2013, Respondent self-reported convictions for three counts of theft-false representation.

3. On April 29, 2013, Respondent was convicted in Dane County (Case Number 13 CF 86) of the following:

- a. One count of theft-false representation in violation of Wis. Stat. § 943.20(1)(d), a class A misdemeanor. From March 13, 2007 through March 25, 2007, Respondent intentionally deceived a Wisconsin Medicaid recipient and obtained \$2,318.76 in fraudulent Medicaid payments.
- b. One count of theft-false representation in violation of Wis. Stat. § 943.20(1)(d), a class A misdemeanor. From September 19, 2007 through October 8, 2007, Respondent intentionally deceived a Wisconsin Medicaid recipient and obtained \$1,030.56 in fraudulent Medicaid payments.
- c. One count of theft-false representation in violation of Wis. Stat. § 943.20(1)(d), a class A misdemeanor. From April 3, 2008 through September 9, 2008, Respondent intentionally deceived a Wisconsin Medicaid recipient and obtained \$934.09 in fraudulent Medicaid payments.

4. In Respondent's April 29, 2013, letter to the Department, she admitted billing for services she did not provide, billing for services she did not have appropriate documentation for and billing ahead of service.

5. Respondent is currently working at a nursing home where she does not perform Medicare billing. Respondent's current employer is aware of the conviction and reports no practice or employment problems.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Kawana Hickman, L.P.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(1) by violating a law substantially related to the practice of practical nursing.

3. By the conduct described in the Findings of Fact, Kawana Hickman, L.P.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(13) by obtaining compensation by fraud and misrepresentation in the course of nursing practices.

4. As a result of the above conduct, Kawana Hickman, L.P.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Kawana Hickman, L.P.N., is REPRIMANDED.
3. The practical nursing license issued to Respondent Kawana Hickman, L.P.N., (license number 302249-31) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:
 - a. Within 90 days of the date of this Order, Respondent, at her own expense, must complete four (4) hours of education on ethics of nursing and five (5) hours of education on the topic of professional and legal accountability. 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 education to the Department Monitor.
 - b. Respondent shall provide her nursing employers with a copy of this Order before engaging in any nursing employment.
 - c. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall work only under direct supervision, and only in a work setting pre-approved by the Board. Respondent shall not work in a home health, assisted living, agency or pool position.
 - d. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall arrange for her nursing employer(s) to send to the Department Monitor quarterly reports, reporting the terms and conditions of her employment and evaluating her work performance.
 - e. Pursuant to Uniform Nurse Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and the regulatory board in the state in which Respondent proposes to practice.
 - f. 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.
 - g. After two (2) years of working at least half-time as a nurse, 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. Within 120 days from the date of this Order, Kawana Hickman, L.P.N., shall pay COSTS of this matter in the amount of \$200.00.

5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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 Respondent fails to timely submit payment of the costs as ordered, fails to submit proof of successful completion of the ordered education as set forth above, or otherwise fails to comply with the terms of the order above, Respondent's license (no. 302249-31) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs, submit proof of completion of the education, submitted necessary reports or otherwise complied with the order above.

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

WISCONSIN BOARD OF NURSING

by: Julie Nelson
A Member of the Board

Date 7/11/2013