

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

BOBBI J. LANGE FOGLE, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: ORDER 0002590

Division of Legal Services and Compliance¹ Case No. 12 NUR 513

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

Bobbi J. L. Fogle
600 Ridge Drive
Colgate, Wisconsin 53017

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 Bobbi J. Lange Fogle, R.N., (dob July 20, 1967) is licensed in the State of Wisconsin as a professional nurse, having license number 106608-30, first issued on March 21, 1991 and current through February 28, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 600 Ridge Drive, Colgate, Wisconsin 53017.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. At all times relevant to this proceeding, Respondent worked as a nurse at a health facility (Facility), located in Milwaukee, Wisconsin.

3. On January 10, 2011 and October 26, 2011, Respondent viewed Patient A's medical records without the patient's consent or a medical purpose.

4. Respondent had a personal relationship with Patient A.

5. Respondent denies that she disclosed the patient health care information to any other person. Respondent does not recall accessing the record on two occasions. 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, Bobbi J. Lange Fogle, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code. § N 7.04(1) by violating HIPAA, Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1177 (2000).

3. As a result of the above conduct, Bobbi J. Lange Fogel, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Bobbi J. Fogle, R.N., is REPRIMANDED.

3. The professional license issued to Bobbi J. Fogle, R.N., (license number 106608-30) 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. Within ninety (90) days of the date of this Order, Respondent shall at her own expense, successfully complete four (4) hours of education on the topic of Patient Privacy, four (4) hours of education on the topic of Professional Boundaries and four (4) hours of education on the topic of Ethics of Nursing Practice offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.

b. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or

Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.

c. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within one hundred and twenty (120) days from the date of this Order, Bobbi J. Lange Fogle, R.N., shall pay COSTS of this matter in the amount of \$350.00.

5. Requests of approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent 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 or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 106608-30) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has paid costs and submitted proof of satisfactory completion of the required education.

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

WISCONSIN BOARD OF NURSING

by: Bretchen Love
A Member of the Board

9/12/13
Date