

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF APPLICATION FOR
LICENSURE OF

VIRGINIA M. CAPELLE,
APPLICANT.

:
:
:
:
:

:ORDER GRANTING LIMITED LICENSE

ORDER 0002664

Division of Legal Services and Compliance¹ Case No. 13 NUR 229

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

Virginia M. Capelle
10954 North Maria Lane
Hayward, WI 54843

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. On February 13, 2013, Applicant Virginia M. Capelle (dob January 19, 1961), applied for a license to practice as a professional nurse in the State of Wisconsin. Applicant's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 10954 North Maria Lane, Hayward, Wisconsin 54843.

2. Applicant has one criminal conviction for theft of movable property in 2008 and twenty-seven criminal convictions for issuance of worthless checks in 2008 and 2009.

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

3. On March 14, 2013, the Wisconsin Board of Nursing reviewed Applicant's request to take the professional nursing examination and denied her request because the above criminal convictions were substantially related to the practice of nursing.

4. Applicant is otherwise qualified for licensure.

5. Applicant agrees to accept a limited license and 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. § 441.06, to grant requests to take the professional nursing examination and to grant licensure.

2. The limitations as set out below are sufficient to address any unacceptable risk of harm Applicant may pose to patients and the public in the practice of nursing.

ORDER GRANTING LIMITED LICENSE

1. The attached Stipulation is accepted.

2. The Wisconsin Board of Nursing hereby grants Applicant the privilege to sit for the NCLEX nursing examination.

3. If Applicant passes the NCLEX nursing examination, the professional nursing license issued to Virginia M. Capelle to practice professional nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is LIMITED as follows:

a. For a period of at least one (1) year from the date Applicant's license is granted:

i. Applicant shall enroll and participate at least once a week in a gamblers anonymous (or the substantial equivalent) program which is acceptable to the Board or the Board's designee. Attendance of Applicant at such meetings shall be verified and reported quarterly to the Department Monitor.

ii. Applicant shall provide her nursing employers with a copy of this Order before engaging in any nursing employment.

iii. For a period of at least one (1) year from the date Applicant's license is granted and while working at least half-time as a nurse, Applicant 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.

4. After one (1) year from the date of the date Applicant's license is granted, Applicant 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.

5. Any petition to the Board or quarterly reports shall be sent by Applicant (or nursing employer, as appropriate) 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 Applicant'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 Applicant fails to submit quarterly reports, as set forth above, Applicant's license may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Applicant has complied with the terms of the order above.

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

WISCONSIN BOARD OF NURSING

by: Julia Nelson, RN
A Member of the Board

10/10/13
Date