

## 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

DENISE C. SKOW, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0003310**

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Division of Legal Services and Compliance Case No. 14 NUR 115

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

Denise C. Skow, R.N.  
103 West Chateau Place  
Whitefish Bay, WI 53217

Wisconsin Board of Nursing  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

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 Denise C. Skow, R.N., (dob August 21, 1962) is licensed in the State of Wisconsin as a professional nurse, having license number 136603-30, first issued on October 09, 2000 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 103 West Chateau Place, Whitefish Bay, Wisconsin 53217.

2. At all times relevant to this proceeding, Respondent was employed as a director of nursing at a medical center (Center), located in Green Bay, Wisconsin.

3. Approximately around August 2009, Respondent accepted the Director of Nursing position at the Center.

4. Respondent's role as a Director of Nursing were to perform direct supervision of all charge nurses including registered nurses and licensed practical nurses, and also to monitor and complete quarterly "Nursing Work Report Forms" for any charge nurses in the event of monitoring requirements.

5. On May 09, 2011 Respondent hired Annette M. Malcomson, R.N. (License no. 146255-30).

6. Respondent was aware of Ms. Malcomson's June 02, 2011 Board Impairment Order of suspending her license to practice as a registered nurse in the state of Wisconsin due to her diversion of controlled substance from in-house patients.

7. Respondent was also aware of Ms. Malcomson's September 19, 2011 initial stay of suspension subject to compliance with the terms and conditions of the Order. One of the restrictions in the Order is her inability to dispense and/ or have access to controlled substances.

8. During the time of Ms. Malcomson's restricted license, Respondent submitted quarterly "Nursing Work Report Form" to the Department Monitor. One of the form section titled "If employee has an alcohol/ drug impairment, please answer these additional questions". Those questions included: "Is this employee administering controlled substances and does this employee have access to controlled substances?" The form completed by Respondent dated December 10, 2013 indicates "NO" to both of these questions. However, Respondent was aware that Ms. Malcomson's job duties at this time included administering controlled substances and did also have access to them.

9. Respondent knowingly filed false work reports to the Department Monitor and also failed to report the rule violation.

10. Respondent is not currently working as a nurse and does not have any plans to return to the practice of nursing.

11. 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, Denise C. Skow, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(3) by failing to report to the board any violation of the rules of this chapter by a licensee.

3. By the conduct described in the Findings of Fact, Denise C. Skow, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04 by a misconduct not otherwise specified.

4. As a result of the above conduct, Denise C. Skow, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Denise C. Skow, R.N., is REPRIMANDED.

3. Within 120 days from the date of this Order, Denise C. Skow, R.N., shall pay COSTS of this matter in the amount of \$600.00.

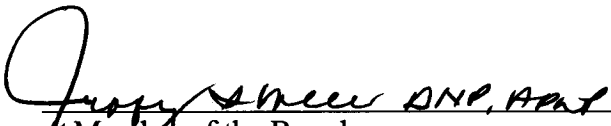
4. Payment of forfeiture and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

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 Respondent fails to timely submit payment of the costs as ordered, Respondent's license (no. 136603-30) 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.

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

WISCONSIN BOARD OF NURSING

by:    
A Member of the Board

7-10-14  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

DENISE C. SKOW, R.N.,  
RESPONDENT.

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STIPULATION

**0003310**

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Division of Legal Services and Compliance Case No. 14 NUR 115

Respondent Denise C. Skow, R.N., and the Division of Legal Services and Compliance,  
Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the  
Division of Legal Services and Compliance. Respondent consents to the resolution of this  
investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily  
and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has  
the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by  
subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral  
arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution,  
the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code,  
and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has  
been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by  
the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of  
the attached Final Decision and Order without further notice, pleading, appearance or consent of  
the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the  
form as attached.

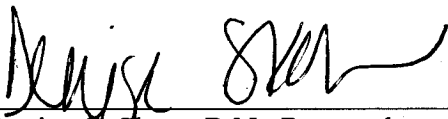
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not  
be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

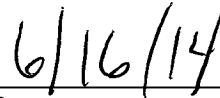
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



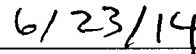
Denise C. Skow, R.N., Respondent  
103 West Chateau Place  
Whitefish Bay, WI 53217  
License no. 136603-30



Date



Kim M. Kluck, Prosecuting Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison WI 53707-7190



Date