

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

KATHLEEN M. HANSEL, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
: ORDER 0003732
:

Division of Legal Services and Compliance Case No. 14 NUR 095

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

Kathleen M. Hansel, R.N.
1705 Nicolet Street
Janesville, WI 53546-5888

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 Kathleen M. Hansel, R.N., (dob December 28, 1964) is licensed in the State of Wisconsin as a professional nurse, having license number 126339-30, first issued on June 19, 1997 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1705 Nicolet Street, Janesville, Wisconsin 53546-5888.

2. Respondent needed to renew her license by the end of February 2012. Respondent submitted a complete application and payment for renewal prior to the deadline on January 9, 2012.

3. On April 4, 2012, the Department mailed Respondent a letter that stated her application for renewal was denied due to tax delinquency. The letter was sent via United States Postal Service certified mail. The mail carrier attempted to deliver the notice on April 5, 2012 and April 10, 2012. When the mail was not claimed by April 20, 2012, the mail was returned to the Department marked "unclaimed." Respondent never received the letter stating her license was denied due to tax delinquency.

4. On or about May 8, 2012, Respondent's license status changed from active to inactive due to tax hold.

5. During all times relevant to this proceeding, Respondent was employed by a healthcare agency (Agency) and worked as a nurse in independent practice for Wisconsin Medicaid. On an annual basis, the Agency checked the credential status of its nurse employees.

6. On or about February 28, 2014, the Agency notified the Department that Respondent had worked as a nurse since November 5, 2009 despite the Department credential lookup website showing that her license was expired/inactive.

7. Upon learning that the Department considered her license to be expired, in 2014, Respondent did not engage in professional nursing and immediately took steps to resolve the tax and licensing matters.

8. Respondent is currently working with the Department of Revenue to pay back the taxes she owes. Therefore, the Department of Revenue has released the license hold on Respondent and Respondent is currently able to practice as a professional nurse.

9. As of January 12, 2015, the Department has not received any complaints regarding the quality of nursing care provided by Respondent, since she was licensed in 1997.

10. Respondent understands the need to keep her contact information, including address current with the Department to ensure she receives all mail from the Department.

11. Respondent understands that she is not able to practice as a nurse without a current credential.

12. Respondent understands the implications on her license to practice nursing for failure to pay taxes.

13. 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, Kathleen M. Hansel, R.N., violated Wis. Stat. § 441.06(4).

3. As a result of the above conduct, Kathleen M. Hansel, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d)¹.

ORDER

1. The attached Stipulation is accepted.

2. Respondent Kathleen M. Hansel, R.N., is REPRIMANDED.

3. Within one (1) year from the date of this Order, Kathleen M. Hansel, R.N., shall pay COSTS of this matter in the amount of \$250.00.

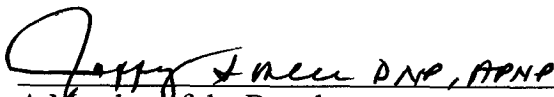
4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 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. 126339-30) 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:  J. J. Miller DNP, APNP
A Member of the Board

2-10-15
Date

¹ Wis. Stat. (2011-2012).

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KATHLEEN M. HANSEL, R.N.,
RESPONDENT.

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:
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:
:

STIPULATION

ORDER 0003732

Division of Legal Services and Compliance Case No. 14 NUR 095

Respondent Kathleen M. Hansel, 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. Respondent is represented by Diane M. Welsh.

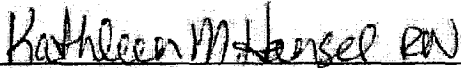
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives 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.

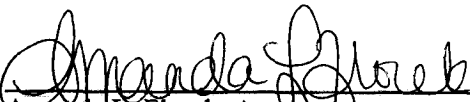
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Kathleen M. Hansel, R.N., Respondent
1705 Nicolet Street
Janesville, WI 53546-5888
License no. 126339-30

1-16-15
Date


Diane M. Welsh, Attorney for Respondent
Von Briesen & Roper, S.C.
Three S. Pinckney Street, Suite 1000
Madison, WI 53703

1-16-15
Date


Amanda L. Florek, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison WI 53707-7190

1/16/15
Date