

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KRISTY E. SHOEN, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER

:
:
ORDER 0003735

Division of Legal Services and Compliance Case No. 14 NUR 485

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

Kristy E. Shoen, R.N.
8455 Emery Parkway North
Champlin, MN 55316

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 Kristy E. Shoen, R.N., (dob August 15, 1959) is licensed in the State of Wisconsin as a professional nurse, having license number 179858-30, first issued on September 9, 2011 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 8455 Emery Parkway North, Champlin, Minnesota 55316.
2. On August 7, 2014, the Minnesota Board of Nursing (Minnesota Board) issued an order suspending Respondent and limiting Respondent's Minnesota nursing license.
3. The Minnesota Order was, in part, based on the following:

- a. Use of non-prescribed Vicodin®.
- b. Diagnosis of opioid dependence.
- c. Use of prescribed Ritalin® in doses that were larger than prescribed in an effort to self-treat her depression symptoms.

4. 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, Kristy E. Shoen, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.03(1)(b) by having a license to practice nursing denied, revoked, suspended, limited, or having the credential holder otherwise disciplined in another state, territory, or county.
3. As a result of the above conduct, Kristy E. Shoen, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.
2. The license of Kristy E. Shoen, R.N., (license number 179858-30), to practice nursing in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are **SUSPENDED** from the date of this Order.
3. The suspension is hereby stayed so long as Respondent complies with all terms in the Minnesota Order and continues to work with the Minnesota Board.
4. The professional nursing license issued to Respondent Kristy E. Shoen, R.N., (license number 179858-30) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are **LIMITED** as follows:
 - a. Respondent shall fully comply with all conditions and limitations placed on her Minnesota license, including any changes that the Minnesota Board imposes on Respondent's license.
 - b. Respondent shall have all treater reports, required by the Minnesota Consent Order, submitted to the Department within fifteen (15) days of it being provided to the Minnesota Board.

- c. Respondent shall notify the Department of any changes to her Minnesota Consent Order within ten (10) days of the change.
- d. Removal of the stay in Minnesota will automatically lead to removal of the stay in Wisconsin.
- e. If Respondent intends to return to Wisconsin to practice nursing, she must inform the Board at least fifteen (15) days prior to returning to Wisconsin.
- f. Respondent must notify the Board of any address change.
- g. If Respondent returns to Wisconsin, any nursing employment must be pre-approved by the Board or its designee.
- h. Respondent must submit all releases to the Board or its designee at its request.

5. Respondent may petition the Board or its designee for removal of any of the limitations set forth above by providing proof that she has successfully satisfied the Board or its designee that the Respondent has successfully complied with all the terms and conditions of the Minnesota Order and that her Minnesota license is no longer conditional or limited in any way.

6. Pursuant to 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.

7. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$425.00.

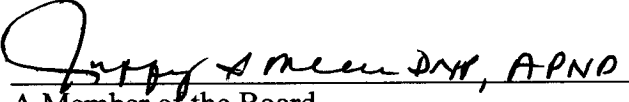
8. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services), releases, and any reports or petitions shall be sent to the Department Monitor at the address below:

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

9. 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 for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as set forth above, Respondent's license (no. 179858-30) may, in the discretion of the Board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with payment of the costs.

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

WISCONSIN BOARD OF NURSING

by:  J. A. McLean DNR, APND
A Member of the Board

2.12.15
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KRISTY E. SHOEN, R.N.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0003735

Division of Legal Services and Compliance Case No. 14 NUR 485

Respondent Kristy E. Shoen, 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 Attorney Marit M. Sivertson.

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.

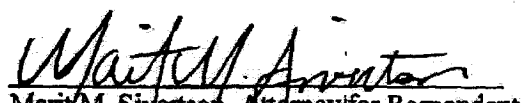
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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.

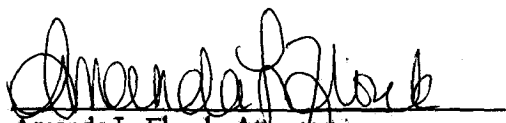
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Kristy E. Shoen, R.N., Respondent
8455 Emery Parkway North
Champlin, MN 55316
License no. 179858-30

1/19/2015
Date


Mary M. Sivertson, Attorney for Respondent
Law Office of Sivertson and Barrette, P.A.
1465 Arcade Street
Saint Paul, MN 55106

1-19-15
Date


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

1/20/15
Date