

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF A PETITION FOR AN	:	
ADMINISTRATIVE INJUNCTION	:	
INVOLVING	:	
	:	ADMINISTRATIVE INJUNCTION
AMANDA A. CLAUSEN,	:	
RESPONDENT.	:	

0003946

Division of Legal Services and Compliance Case No. 15 UNL 015 (NUR)

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

Amanda Ann Clausen
W15917 Twin Lake Road
Goodman, WI 54125

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

Division of Legal Services and Compliance
Wisconsin 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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Amanda Ann Clausen, (dob: January 11, 1984) is not and has never been licensed as a professional or practical nurse in the State of Wisconsin.
2. Respondent's current address is W15917 Twin Lake Road, Goodman, Wisconsin 54125.

3. Respondent created a website, www.healingstridestherapy.barnchimp.com, as well as a Facebook® page, Healing Strides, in which she advertises that she is a licensed practical nurse (LPN).

4. A previous case (14 UNL 093) was opened due to the website containing references to Respondent being a licensed practical nurse. The case was closed informally after Respondent removed the content from her website.

5. As of February 23, 2015, Respondent placed the information back on the website. Specifically, the website states “being a licensed practical nurse, I had seen some challenged people...”

6. Respondent submitted a business plan/proposal to become a non-profit organization. In the business plan, submitted by Respondent, Respondent states, “Healing Strides Equine Assisted Therapy Center’s management/founder is Amanda Clausen. Amanda possesses An Associates degree in nursing (LPN)...”

7. The Department has no record of an Amanda A. Clausen being a licensed as practical or professional nurse. Furthermore, the Department has not received an application from Respondent for any nursing license.

8. Wisconsin Stat. § 441.10(3)(c) states that “no person without a license may hold himself or herself out as a licensed practical nurse or licensed attendant, use the title or letters ‘Trained Practical Nurse’ or ‘T.P.N.’, ‘Licensed Practical Nurse’ or ‘L.P.N.’...or otherwise seek to indicate that he or she is a licensed practical nurse.”

9. Respondent agrees that she will not practice nursing or hold herself out as a nurse without a valid Wisconsin license.

10. Respondent agrees that as of the date of this Order, if Respondent engages in the practice of nursing without a valid Wisconsin license, or holds herself out as a nurse, this conduct is conclusive evidence that she is violating Wisconsin law, including but not limited to Wis. Stat. § 441.10(3)(c).

CONCLUSIONS OF LAW

1. The Department has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21, and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

2. The conduct described above constitutes the unlicensed practice of nursing, contrary to Wis. Stat. § 441.10(3)(c).

ORDER

1. The attached stipulation is accepted.

2. Unless and until Respondent is properly licensed to practice nursing by the Department and the Wisconsin Board of Nursing, Respondent is enjoined and prohibited from the practice of nursing in the State of Wisconsin. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).

3. If the Department determines that there is probable cause to believe that Respondent has violated any terms of this Administrative Injunction, the Department may refer the violations covered by this decision and order to any appropriate prosecutorial unit for review for possible criminal charges.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 4th day of May, 2015.

By: 
Michael J. Berndt, Chief Legal Counsel
On behalf of the Department

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF A PETITION FOR AN :
ADMINISTRATIVE INJUNCTION :
INVOLVING :

AMANDA ANN CLAUSEN,
RESPONDENT.

STIPULATION

0003946

Division of Legal Services and Compliance Case No. 15 UNL 015 (NUR)

Respondent Amanda Ann Clausen 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.

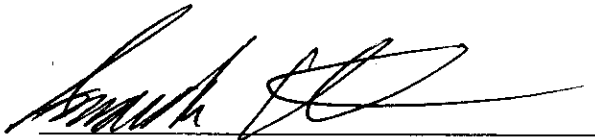
4. Respondent agrees to the adoption of the attached Administration Injunction by the Wisconsin Department of Safety and Professional Services (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent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

5. If the terms of this Stipulation are not acceptable to the Department, 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 Department, the parties agree not to contend that the Department 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 may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

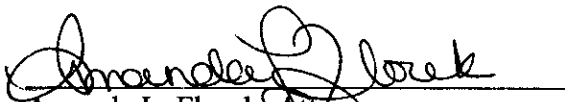
7. Respondent is informed that should the Department adopt this Stipulation, the Department's Administrative Injunction is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Administrative Injunction.



Amanda A. Clausen, Respondent
W15917 Twin Lake Road
Goodman, WI 54125

4-27-2015
Date



Amanda L. Florek, Attorney
State Bar Number 1086841
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190
Tel. (608) 267-2183

4/30/15
Date