

## 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

ALISON L. ZIRZOW, R.N.,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
:

0003978

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Division of Legal Services and Compliance Case No. 14 NUR 538

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

Alison L. Zirzow, R.N.  
5801 31<sup>st</sup> Avenue  
Kenosha, WI 53144

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 Alison L. Zirzow, R.N., (dob January 22, 1968) is licensed in the State of Wisconsin as a professional nurse, having license number 134316-30, first issued on February 25, 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 5801 31<sup>st</sup> Avenue, Kenosha, Wisconsin 53144.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a medical facility located in Kenosha, Wisconsin.

3. On May 13, 2013, June 12, 2013, July 31, 2013 and February 12, 2014, Respondent accessed a patient's electronic medical records without a legitimate nursing purpose.

4. Respondent was terminated from her employment as a result of the breach of information.

5. In a letter to the Department received on October 27, 2014, Respondent admitted to accessing electronic patient medical records without a legitimate nursing purpose.

6. 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, Alison L. Zirzow, R.N., violated Wis. Admin. Code § N 7.03(2) by violating a law (HIPAA) substantially related to the practice of professional nursing.

3. By the conduct described in the Findings of Fact, Alison L. Zirzow, R.N., violated Wis. Admin. Code § N 7.03(3)(a) by failing to safeguard the patient's dignity, or right to privacy.

4. As a result of the above violations, Alison L. Zirzow, R.N. is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (c).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Alison L. Zirzow, R.N., is REPRIMANDED.

3. The professional nursing license issued to Alison L. Zirzow, R.N., (license number 134316-30) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

- a. Within ninety (90) days of the date of this Order, Respondent shall at their own expense, successfully complete five (5) hours of education on the topic of professional accountability and four (4) hours of education on the topic of HIPAA, all of which are offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
- b. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to

the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.

- c. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within 120 days from the date of this Order, Alison L. Zirzow, R.N., shall pay COSTS of this matter in the amount of \$200.00.

5. Request of approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent 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

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 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 or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 134316-30) 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 and submit proof of successful completion of the ordered education.

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

WISCONSIN BOARD OF NURSING

by:  Jeffrey A. Allen APRN, PM  
A Member of the Board

5-14-15  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ALISON L. ZIRZOW, R.N.,  
RESPONDENT.

:  
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STIPULATION

0003978

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Division of Legal Services and Compliance Case No. 14 NUR 538

Respondent Alison L. Zirzow, 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 Mick H. Sellergren.

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 or Respondent's attorney, 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.

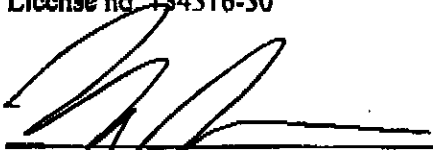
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Alison L. Zitzow, R.N., Respondent  
5801 31<sup>st</sup> Avenue  
Kenosha, WI 53144  
License no. 134316-30

3/31/15  
Date



Mick H. Selligren, Attorney for Respondent  
Rizzo & Diersen, S.C.  
421 Broad Street  
Lake Geneva, WI 53147

4/2/15  
Date



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

4/6/15  
Date