

## 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 :  
: FINAL DECISION AND ORDER  
VERONICA M. MCCABE, L.P.N., :  
RESPONDENT. :

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0004136

Division of Legal Services and Compliance Case No. 15 NUR 212

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

Veronica M. McCabe, L.P.N.  
W3936 330<sup>th</sup> Avenue  
Maiden Rock, WI 54750

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 Veronica M. McCabe, L.P.N., (dob July 10, 1964) is licensed in the State of Wisconsin as a practical nurse, having license number 306586-31, first issued on September 29, 2005 and current through April 30, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is W3936 330<sup>th</sup> Avenue, Maiden Rock, Wisconsin 54750.

2. At all times relevant to this proceeding, Respondent was employed as a practical nurse in Minnesota.

3. On April 2, 2015, the Minnesota Board of Nursing (Minnesota Board) issued a Stipulation and Consent Order (Consent Order) imposing discipline against Respondent's Minnesota license to practice professional nursing. The discipline was based on the fact Respondent practiced nursing in Minnesota for a week in May 2013 after her authorization to practice through the Border State Registry expired and practiced for eleven (11) months in 2014 after her temporary permit to practice in Minnesota had expired. The Consent Order reprimanded Respondent's license, imposed a civil penalty and imposed the following conditions on her license:

- a. Successfully complete continuing education on the topics of professional accountability and legal liability for nurses and ethics of nursing practice;
- b. Submit a typewritten report addressing what she learned and achieved through the continuing education; and
- c. Provide any additional relevant information reasonably requested by the Minnesota Board.

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, Respondent violated Wis. Admin. Code § 7.03(1)(b) by having her license to practice nursing disciplined in another state, territory or country.

3. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Veronica M. McCabe, L.P.N., is REPRIMANDED.

3. The practical nursing license issued to Veronica M. McCabe, L.P.N., (license number 306586-31) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are INDEFINITELY LIMITED as follows:

a. Respondent shall successfully complete continuing education on the topics of professional accountability and legal liability for nurses and ethics of nursing practice as ordered by the Minnesota Board.

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, Respondent shall pay COSTS of this matter in the amount of \$50.00.

5. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) and proof of successful completion of the education ordered by the Minnesota Board 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

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 or proof of successful completion of the education ordered, Respondent's license (no. 306586-31) 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 submitted proof of successful completion of the education ordered by the Minnesota Board.

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

WISCONSIN BOARD OF NURSING

by:   
A Member of the Board

7-9-15  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

VERONICA M. MCCABE, L.P.N.,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

0004136

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Division of Legal Services and Compliance Case No. 15 NUR 212

Respondent Veronica M. McCabe, L.P.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.

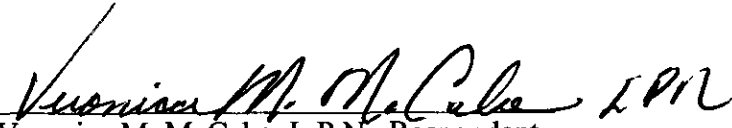
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

  
Veronica M. McCabe, L.P.N., Respondent  
W3936 330<sup>th</sup> Avenue  
Maiden Rock, WI 54750  
License no. 306586-31

6-18-15  
Date

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

6/22/15  
Date