

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

LARA SKRZYPCZYNSKI, R.N.,
RESPONDENT.

FINAL DECISION AND ORDER

0004141

Division of Legal Services and Compliance Case No. 14 NUR 191

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

Lara Skrzypczynski, R.N.
1935 Oxford Street
Rockford, IL 61103

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 Lara Skrzypczynski, R.N., (doh February 14, 1968) is licensed in the State of Wisconsin as a professional nurse, having license number 155951-30, first issued on September 27, 2006 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2880 Deer Path Way, Beloit, Wisconsin 53511.

2. At all times relevant to this proceeding, Respondent was employed as a private duty nurse in Wisconsin and as a professional nurse at a hospital (Hospital), located in Rockford, Illinois.

3. From 2007 through 2010, Respondent provided private duty home nursing care to Client A and Client B at their home in Genoa City, Wisconsin. Respondent was responsible for accurately tracking and submitting her claims for payment for these services to the State of Wisconsin Medicaid (Medicaid) program.

4. During this period of time, Respondent submitted numerous claims for payment to Medicaid for private duty nursing services, requesting payment for nursing care provided to the clients when she had not performed the nursing services. The total amount of payment received by Respondent for nursing services she had not provided to Client A was \$45,786.67.

5. On December 5, 2013, Respondent entered a guilty plea to one count of Medicaid fraud (felony), in violation of Wis. Stat. § 49.49(1)(a)1, and one count of intentionally falsifying a health care record (misdemeanor), in violation of Wis. Stat. § 146.83(4)(a), in Walworth County case number 2013CF461. The charges were based on the following conduct:

- a. During the time period of May 2008 through April 2010, Respondent did not provide any nursing care to Client A on the following dates: 5/4/08, 5/5/08, 5/6/08, 5/7/08, 2/11/09, 2/12/09, 2/13/09, 2/15/09, 5/26/09, 5/27/09, 5/28/09, 5/29/09, 5/31/09 and 4/17/10. Nonetheless, Respondent submitted claims for payment to Medicaid for private duty nursing services, requesting payment for 128 hours of nursing care provided to Client A for those dates. Respondent was paid \$4,164.64 for the 128 hours of claimed nursing services.
- b. During the time period of September 2007 and April 2010, Respondent intentionally falsified patient health care records of Client A and/or Client B, by falsely representing that health care services were provided to the clients when they were not.

6. Respondent was adjudicated guilty of both counts and five (5) other counts¹ relating to the Medicaid fraud were dismissed but read in for purposes of sentencing.

7. On January 24, 2014, Respondent was sentenced to 90 days jail with work release and three (3) years of probation. The conditions of probation included requirements that Respondent pay restitution in the amount of \$45,786.87, not have any contact with the victims, obtain counseling as recommended by the probation agent and pay court costs and supervision fees.

8. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

¹ The five (5) charges which were dismissed but read in were as follows: three (3) counts of Medicaid fraud (felony), in violation of Wis. Stat. § 49.49(1)(a)1; one count of unauthorized use of personal identification information, in violation of Wis. Stat. § 935.50(3)(h); and one count of theft by false representation >\$10,000, in violation of Wis. Stat. § 943.20(1)(d).

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 § 7.04(13)² by obtaining or attempting to obtain any compensation by fraud, misrepresentation, deceit or undue influence in the course of nursing practice.
3. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined in Wis. Admin. Code § 7.04(6) by falsifying or inappropriately altering patient records.
4. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d)³.

ORDER

1. The attached Stipulation is accepted.
2. The license of Respondent Lara Skrzypczynski, R.N., (license number 155951-30), to practice nursing in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are **SUSPENDED** for six (6) months from the date of this Order.
3. For at least two (2) years from the date of this Order, while working at least half-time as a nurse, the license of Lara Skrzypczynski, R.N., (license number 155951-30), to practice nursing in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are **LIMITED** as follows:
 - a. Respondent shall comply with the conditions of her probation imposed in Walworth County case number 2013CF461.
 - b. Respondent shall provide her nursing employers with a copy of this Order before engaging in any nursing employment.
 - c. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall work only under direct supervision, and only in a work setting pre-approved by the Board. Respondent shall not work in a home health, assisted living, agency, pool or as a nurse in a correctional setting.

² All references to Wis. Admin. Code § N 7.04 refer to the code as it existed before August 1, 2014.

³ Wis. Stat. (2007-2008).

- d. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall arrange for her nursing employer(s) to send to the Department Monitor quarterly reports, reporting the terms and conditions of her employment and evaluating her work performance.
- e. 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.
- f. Respondent shall notify the Department Monitor of any change of nursing employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.
- g. Respondent shall not engage in direct billing.
- h. After two (2) years of working at least half-time as a nurse, Respondent may petition the Board for the modification or termination of the limitation. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit.

4. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,300.00.

5. 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

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 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. 155951-30) 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.

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

WISCONSIN BOARD OF NURSING

by: Judy Neel DNP, APRN
A Member of the Board

7-9-15
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

LARA SKRZYPCZYNSKI, R.N.,
RESPONDENT.

STIPULATION

0004141

Division of Legal Services and Compliance Case No. 14 NUR 191

Respondent Lara Skrzypczynski, 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 Patrick J. Knight.

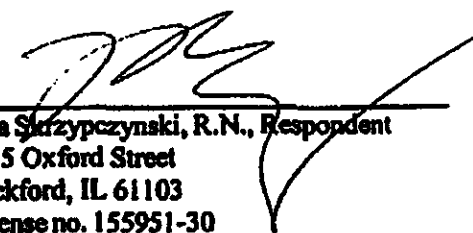
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives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

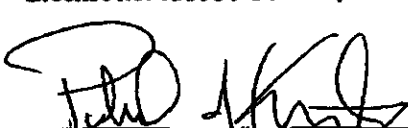
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Lara Strzypczynski, R.N., Respondent
1935 Oxford Street
Rockford, IL 61103
License no. 155951-30

6-24-2015
Date



Patrick J. Knight, Attorney for Respondent
Gimbel Reilly Guerin & Brown, LLP
Two Plaza East, Suite 1170
330 East Kilbourn Avenue
Milwaukee, WI 53202

6-24-15
Date



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

6/25/15
Date