

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 :
: FINAL DECISION AND ORDER
LYNNAE HELLAND, R.N., :
RESPONDENT. : **0004536**

Division of Legal Services and Compliance Case No. 15 NUR 316

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

Lynnae Helland, R.N.
1614 South Farwell Street
Eau Claire, WI 54701

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 Lynnae Helland, R.N., (dob March 21, 1953) is licensed in the State of Wisconsin as a professional nurse, having license number 98815-30, first issued on April 7, 1988 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1614 South Farwell Street, Eau Claire, Wisconsin 54701.

2. The State of California, Department of Consumer Affairs, Board of Registered Nursing, issued a disciplinary order on July 24, 2014 (California Order). The California Order was based on the following facts:

- a. On July 26, 2013, the Respondent was convicted of one (1) count of driving while having a 0.08% or higher blood alcohol concentration.
- b. A special enhancement was added to the conviction for driving with a suspended license due to a prior driving under the influence conviction.

3. The California Board revoked Respondent's license. The revocation was stayed and Respondent was placed on probation for three (3) years, with the following probation limitations:

- a. Obey all laws;
- b. Comply with monitoring;
- c. Appear in person for meetings as directed by the California Board;
- d. Submit written reports;
- e. Execute releases;
- f. Pre-approval of work setting;
- g. Show a copy of the order to employers;
- h. Direct supervision; and
- i. Respondent cannot practice as a traveling nurse, home health nurse, or other unsupervised assignment.

4. On December 31, 2014, Respondent was diagnosed with alcohol dependency.

5. 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, Lynnae Helland, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(7)¹, by having disciplinary action through final board adjudication taken against one's license in another jurisdiction.

3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (c)².

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

ORDER

1. The attached Stipulation is accepted.
2. The SURRENDER of the license and privilege of Lynnae Helland, R.N., (license no. 98815-30) to practice nursing in the State of Wisconsin or under another state license pursuant to the Nurse Licensure Compact is hereby accepted.
3. Respondent shall not petition the Board of Nursing for reinstatement for at least one (1) year from the date of this Order. After the one (1) year period, Respondent may or may not be granted reinstatement, but may petition for reinstatement.
4. In the event that Respondent petitions the Board for reinstatement of her nursing license, or applies for any license with the State of Wisconsin, Department of Safety and Professional Services, Respondent must immediately pay costs of this matter in the amount of \$600.00.
5. Respondent shall immediately return all indicia of Wisconsin licensure to the Department Monitor at the address below. Any petitions for reinstatement shall also be e-mailed, faxed or delivered to:

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

WISCONSIN BOARD OF NURSING

by:  DNP, APRN
A Member of the Board

2-11-14
Date

² Wis. Stat. (2011-2012)

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

LYNNAE HELLAND, R.N.,
RESPONDENT.

:
:
:
:
:
:

STIPULATION

0004536

Division of Legal Services and Compliance Case No. 15 NUR 316

Respondent Lynnae Helland, 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.

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.

Lynnae Helland
Lynnae Helland, R.N., Respondent
~~1614 South Farwell Street~~ 12350 Christensen Rd
~~Eau Claire, WI 54701~~ 50104
Salinas, CA. 93907
License no. 98815-30

1/27/16
Date

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

2/1/16
Date