

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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- 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/wscga>

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**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

- ## FINDINGS OF FACT

### CONCLUSIONS OF LAW

1. The Wisconsin Radiography Examining Board has jurisdiction over this matter, pursuant to Wis. Stat. §§ 462.03(1) and (2).
2. The facts and circumstances of the events described above demonstrate that Applicant violated HIPAA, a federal law which relates to the practice of radiography pursuant to Wis. Stat. § 462.07(2)(b) and Wis. Admin. Code § RAD 6.01(12).
3. The facts and circumstances of the events described above demonstrate the Applicant engaged in unprofessional conduct by obtaining a patient's phone number from their health records, which demonstrates a substantial departure the standard of care ordinarily exercised by a licensed radiographer pursuant to Wis. Stat. § 462.07(2)(e) and Wis. Admin. Code § RAD 6.01(9).
4. The facts and circumstances of the events described above also violate the minimum standards for the profession necessary for the protection of the health, safety, or welfare of a patient or the public pursuant to Wis. Stat. § 462.07(2)(e) and Wis. Admin. Code § RAD 6.01(1).
5. Applicant, by his conduct, is subject to action against his license pursuant to Wis. Stat. § 462.07(2) and limitations upon Applicant's license are necessary to ensure Applicant practices to the minimum standards for the profession necessary for the protection of the health, safety, or welfare of patients and the public.

### **ORDER**

NOW, THEREFORE, IT IS ORDERED that DANIEL TAZBIER is GRANTED a RADIOGRAPHER LICENSE subject to the following LIMITATIONS, TERMS, AND CONDITIONS:

#### Practice Limitations

1. Applicant shall show a copy of this Order to his current and any future employer. Applicant shall provide the Department of Safety and Professional Services Monitor (Department Monitor) with written acknowledgement from each employer that a copy of this Order has been received. Such acknowledgement shall be provided to the Department Monitoring within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.

#### Reporting Requirements

2. It is Applicant's responsibility to arrange for his supervisor(s) to provide work reports to the Department Monitor on a quarterly basis, beginning 90 days from the date of this Order or the date upon which employment is secured, whichever is sooner. These reports shall describe the Applicant's activities and verify that he is in compliance with the laws governing the practice of a Licensed Radiographer and the terms of this Order.

3. Applicant shall report to the Department Monitor any change of employment status, residence, address or telephone number within five (5) days of the date of a change.
4. Applicant shall report any arrest or conviction within 48 hours of the arrest or entry of conviction.
5. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order by Applicant.

#### Department Monitor

6. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order. Any requests, petitions, reports or other information required by this Order shall be mailed, faxed or delivered to:

DEPARTMENT MONITOR  
Department of Safety and Professional Services  
Division of Legal Services & Compliance  
1400 East Washington Ave., P.O. Box 7190  
Madison, WI 53707-7190  
Fax: (608) 266-2264  
Telephone: (608) 267-3817  
dspsmonitoring@wi.gov

#### Petitions for Modification

7. Applicant may petition the Board for modification or termination of the terms of this Order after completion of one (1) year of practice in compliance with all terms and conditions of this Order. "Practice in compliance" includes the submission of work reports, the content of which are satisfactory to the Board. Applicant's petition must include his history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling one year of practice. Any such petition shall be accompanied by a written recommendation from Applicant's current employer that includes, among other things, the dates of employment and scope of responsibility during such employment, and, if applicable, his treatment provider expressly supporting the specific modifications sought. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stats. §§ 227.01(3), or 227.42, or Wis. Admin. Code § SPS 1, and shall not be subject to any right to further hearing or appeal.

#### Costs

8. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

Suspension/Additional Discipline

9. In the event that Applicant violates any term of this Order, Applicant's license may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Applicant has complied with the terms of the Order. The Board may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

Dated at Madison, Wisconsin this 27<sup>th</sup> day of December, \_\_\_\_

Donald Borst  
A Member of the Radiography Examining Board

STATE OF WISCONSIN  
BEFORE THE RADIOGRAPHY EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR  
RADIOGRAPHER LICENSE FOR

DANIEL TAZBIER  
APPLICANT


STIPULATION

0005099

It is hereby stipulated between the above-referenced Applicant and the State of Wisconsin Radiography Examining Board as follows:

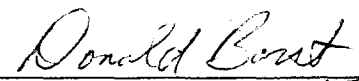
The Applicant has filed an application for a Radiographer license. Information received by the Board reflects a basis for denial of the application for a credential. Based upon the information of record herein, the Board agrees to issue and the Applicant agrees to accept an Order Granting a Limited License as a licensed Radiographer subject to the terms and conditions set forth in the attached Order Adopting Stipulation.

Dated this 19<sup>th</sup> day of December, 2016

By:   
Daniel Tazbier, Applicant

STATE OF WISCONSIN  
RADIOGRAPHY EXAMINING BOARD

Dated this 27<sup>th</sup> day of December, 2016

By:   
Member of the Radiography Examining Board