

## 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](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ROGER M. DORNBURG, L.P.N.,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
:  
:

**0005115**

---

Division of Legal Services and Compliance Case No. 15 NUR 598

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

Roger M. Dornburg, L.P.N.  
1140 River Park Circle E, Apt #108  
Mukwonago, WI 53149-1076

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 Roger M. Dornburg, L.P.N., (dob July 31, 1974) is licensed in the State of Wisconsin as a practical nurse, having license number 308059-31, first issued on February 14, 2007, and current through April 30, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1140 River Park Circle E, Apartment # 108, Mukwonago, Wisconsin 53149-1076.

2. On September 17, 2015, Respondent pleaded guilty and was convicted in Racine County Circuit Court case number 2014CF1638 of two (2) counts of battery, misdemeanor, in violation of Wis. Stat. § 940.19(1), and one (1) count of disorderly conduct, misdemeanor, in violation of Wis. Stat. § 947.01(1).

3. The above convictions were based on the following facts:
  - a. On or about November 5, 2014, Respondent kicked his wife in the calf with a heavy work boot. This was done in front of the couple's nine-year-old son.
  - b. On or about November 6, 2014, Respondent placed a pillow over his wife's face and restricted her ability to breathe. This was done in front of the couple's nine-year-old son.
  - c. On or about November 16, 2014, Respondent used his arm and elbow to strike his son in the shoulder blade. This action caused his son to fall to the floor.
4. Respondent was sentenced to two (2) years of probation for each count to run concurrently. The conditions of probation include:
  - a. Alcohol and other drug abuse assessment and counseling;
  - b. No alcohol or controlled substances except by prescription;
  - c. Random urine assessments; and
  - d. Domestic violence and anger management counseling.
5. On November 9, 2015, Respondent successfully completed individual therapy and was discharged from behavioral health outpatient services.
6. On August 30, 2016, Respondent began attending a domestic violence group. He continues to engage in sessions and is doing well.
7. Respondent is on a waitlist for an AODA assessment.
8. 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, Roger M. Dornburg, L.P.N., engaged in unprofessional conduct as defined by Wis. Admin. Code § N 7.03(2), by violating a law substantially related to the practice of nursing.

3. As a result of the above conduct, Roger M. Dornburg, L.P.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. The license of Roger M. Dornburg, L.P.N., (license number 308059-31) to practice nursing in the State of Wisconsin, and his privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are SUSPENDED for one (1) week from the date of this Order.

3. The license of Roger M. Dornburg, L.P.N., (license number 308059-31) to practice nursing in the State of Wisconsin, and his privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

- a. Respondent must comply with all conditions of his probation.
- b. Within fifteen (15) days of the completion of the AODA assessment, Respondent must submit the assessment results to the Department Monitor at the address below.
- c. Respondent must comply with all treaters' recommendations based on the AODA assessment, anger management, domestic violence group and any other treatment recommended through his probation.
- d. Respondent shall provide his nursing employer with a copy of this Order before engaging in any nursing employment. Respondent shall provide the Department Monitor with written acknowledgment from each nursing employer that a copy of this Order has been received. Such acknowledgment shall be provided to the Department Monitor 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.
- e. 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.
- 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. After two (2) years of working at least half-time as a nurse, Respondent may petition the Board for 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. Pursuant to Uniform Nurse Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of these limitations. 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.

5. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$665.00.

6. The AODA assessment, acknowledgment that his employers have reviewed a copy of this Order, requests for pre-approval of work settings, notice of change in employment, petitions for modification or termination of the limitations, payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) and evidence of successful completion of probation in Racine County Case No. 2014CF001638 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](mailto:DSPSMonitoring@wisconsin.gov)

7. 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 comply with his probation, fails to submit his AODA assessment, fails to comply with treaters' recommendations, fails to show a copy of the order to employers, fails to submit acknowledgment that his employers have seen a copy of this order, fails to seek pre-approval of work setting, works in a restricted work setting, fails to report a change in employment, or fails to timely submit payment of the costs as ordered, Respondent's license (no. 308059-31) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with terms of his probation, submitted his AODA assessment, complied with treaters' recommendations, shown a copy of the order to his employers, submitted acknowledgment that his employers reviewed a copy of the order, sought pre-approval of work settings, reported changes in employment and submitted payment of ordered costs.

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

WISCONSIN BOARD OF NURSING

by: Shayl Krause  
A Member of the Board

1-12-17  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ROGER M. DORNBURG, L.P.N.,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

0005115

---

Division of Legal Services and Compliance Case No. 15 NUR 598

Respondent Roger M. Dornburg, 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.

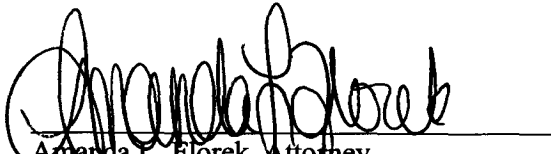
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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.

  
Roger M. Dornburg, L.P.N., Respondent  
1140 River Park Circle E, Apt #108  
Mukwonago, WI 53149-1076  
License no. 308059-31

12/6/16  
Date

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

12/13/16  
Date