

## 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

DELILAH J. SOUTER, R.N.,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
:

**0005371**

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Division of Legal Services and Compliance Case No. 17 NUR 019

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

Delilah J. Souter, R.N.  
P.O. Box 81613  
Racine, Texas 53408-1613

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 Delilah J. Souter, R.N., (dob October 1, 1976) is licensed in the State of Wisconsin as a professional nurse, having license number 147939-30, first issued on June 17, 2004 and current through February 28, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is P.O. Box 81613, Racine, Texas 53408-1613.

2. Upon information and belief, Respondent's current address is 11181 Snyder Drive, Frisco, Texas 75035-8892.

3. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a home health agency (Agency), located in Carrollton, Texas, pursuant to the Nurse Licensure Compact.

4. On January 19, 2017, Respondent and the Texas Board of Nursing entered into an Agreed Order for Discipline and Eligibility (Texas Order) based on the following facts:

- a. Between September 8, 2015 and September 21, 2015, Respondent falsely documented that she provided nursing care to three patients.
- b. Respondent resigned her employment without providing notice and failed to complete paperwork.
- c. On November 24, 2015, the Texas Board of Nursing granted Respondent a temporary nursing license. This license expired on March 23, 2016, and Respondent continued to practice nursing in Texas until April 19, 2016, without a valid license.

5. The Texas Order required Respondent to pay a fine and complete remedial education in ethics, documentation and sharpening critical thinking within one (1) year from the date of the Order.

6. 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, Delilah J. Souter, R.N., violated Wis. Admin. Code § N 7.03(1)(b), by having a license to practice nursing or a nurse licensure compact privilege to practice denied, revoked, suspended, limited, or having the credential holder otherwise disciplined in another state.

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

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Delilah J. Souter, R.N., is REPRIMANDED.

3. The professional nursing license issued to Delilah J. Souter, R.N., (license number 147939-30) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

- a. Respondent shall comply with all conditions and limitations placed on her Texas nursing license.
- b. Respondent shall submit proof of the completed education to the Department Monitor at the address below within ten (10) days of submitting proof to the Texas Board of Nursing.
- c. Respondent shall submit proof of payment of the Texas Board of Nursing fine to the Department Monitor within ten (10) days of payment to the Texas Board of Nursing.
- d. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully complied with all conditions and limitations of the Texas Order and that her Texas nursing license is no longer conditional or limited in any way.

4. Within 120 days from the date of this Order, Delilah J. Souter, R.N., shall pay COSTS of this matter in the amount of \$325.00.

5. Proof of successful completion of education and payment of the fine, and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) 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)

6. In the event Respondent violates any term of this Order, Respondent's license (147939-30), or Respondent's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this 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.

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

WISCONSIN BOARD OF NURSING

by:

*Heyle Krause*  
A Member of the Board

7-13-17  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

DELILAH J. SOUTER, R.N.,  
RESPONDENT.

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STIPULATION

**0005371**

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Division of Legal Services and Compliance Case No. 17 NUR 019

Respondent Delilah J. Souter, 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.

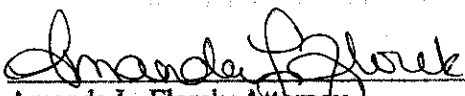
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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

  
Deilah J. Souter, R.N., Respondent  
11181 Snyder Drive  
Frisco, Texas 75035-8892  
License no. 147939-30

6/1/17  
Date

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

6/1/17  
Date