

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :
TERESA J. KRAUS, L.P.N., : FINAL DECISION AND ORDER
LICENSEE. : FOR REMEDIAL EDUCATION
: **0005548**

Division of Legal Services and Compliance Case No. 17 NUR 105

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

Teresa J. Kraus, L.P.N.
721 Michigan Avenue
Milwaukee, WI 53172

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. Licensee Teresa J. Kraus, L.P.N., (dob October 1, 1967) is licensed in the State of Wisconsin as a practical nurse, having license number 306264-31, first issued on July 14, 2005 and current through April 30, 2019. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 721 Michigan Avenue, Milwaukee, Wisconsin 53172.

2. At all times relevant to this proceeding, Licensee was employed as an agency practical nurse working for a home health agency (Agency), located in Wauwatosa, Wisconsin.

3. Licensee provided daily in-home care to Patient A, an underage male residing with his mother in South Milwaukee, Wisconsin.

4. Licensee was responsible for submitting weekly flow sheets to the Agency. Licensee's practice was to place the completed flow sheets in the mail at the end of the day each Friday for the care provided to Patient A that week.

5. On Thursday December 22, 2016, Licensee provided in-home care to Patient A. Licensee completed a flow sheet for that day and a flow sheet for Friday December 23, 2016, as she did not think she would have time to fill it all out on Friday.

6. On the morning of December 23, 2016, Licensee had a personal appointment. Licensee stopped at the home of Patient A on her way to the appointment and told Patient A's mother that she would be returning after her appointment. Licensee intended to fill out a new nursing flow sheet for the care provided after her appointment. Patient A's mother told Licensee she would not need nursing care that day. Later that day, Patient A's mother phoned the Agency stating the Licensee did not provide care to Patient A that day.

7. On the morning of December 23, 2016, Licensee mailed her weekly flow sheets for December 19 through December 23, 2016 to the Agency.

8. On December 26, 2016, Licensee contacted the Agency requesting the flow sheet from December 23, 2016 be destroyed because she had sent it in by mistake. The Agency suspended Licensee pending an investigation.

9. On January 3, 2017, Patient A's mother received a text from Licensee stating she needed to get some things from Patient A's home chart. Patient A's mother brought the home chart to the Agency which determined Patient A's home chart did not contain flow sheets.

10. Licensee admitted to the Agency she did not work on December 23, 2016, and had completed the flow sheet for that day and obtained the mother's signature on December 22, 2016.

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

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months of the date of this Order, Teresa J. Kraus, L.P.N., shall at her own expense take and successfully complete four (4) hours of education on the topic of documentation and three (3) hours of education on the topic of ethics and professionalism in nursing as follows:

- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
- b. Licensee shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any education requirements that have been or may be instituted by the Board or Department.

3. Request for approval of courses and proof of successful course completion shall be sent by Licensee to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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

WISCONSIN BOARD OF NURSING

by: Deyl Krause
A Member of the Board

12-14-17
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TERESA J. KRAUS, L.P.N.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0005548

Division of Legal Services and Compliance Case No. 17 NUR 105

Respondent Teresa J. Kraus, 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.

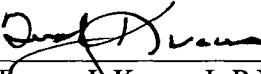
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



Teresa J. Kraus, L.P.N., Respondent
721 Michigan Avenue
Milwaukee, WI 53172
License no. 306264-31

11-14-2017
Date



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

11/15/17
Date