

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF A PETITION FOR AN
ADMINISTRATIVE INJUNCTION
INVOLVING

JENNIFER L. BROWNE, f/k/a JENNIFER L.
PAGRYZINSKI,
RESPONDENT.

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: ADMINISTRATIVE INJUNCTION
:
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: **0005827**
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Division of Legal Services and Compliance Case No. 16 UNL 131

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

Jennifer L. Browne, f/k/a Jennifer L. Pagryzinski
1120 Paige Road
Hatley, WI 54440

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

Division of Legal Services and Compliance
Wisconsin 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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Jennifer L. Browne, f/k/a Jennifer L. Pagryzinski, (DOB: June 7, 1976) is not, and has never been, licensed as a professional or practical nurse in the State of Wisconsin.
2. Respondent's last known address is 1120 Paige Road, Hatley, Wisconsin 54440.

North Central Health Care

1. On or about October 28, 2015, Respondent submitted an application for employment as a registered nurse to North Central Health Care (NCHC) in Wausau, Wisconsin.
2. On that application, Respondent falsely represented that she had an associate degree in nursing. In fact, she only completed one semester toward her associate degree in nursing.
3. Respondent also falsely represented on the application that she previously worked as a registered nurse at a hospital in Naples, Florida; a hospital in Baraboo, Wisconsin; a hospital in Madison, Wisconsin; and a hospital in Weston, Wisconsin.
4. Based on Respondent's representations to NCHC on her application for employment, NCHC offered her a position as a registered nurse.
5. Respondent verbally provided a Wisconsin professional nurse license number to NCHC administration.
6. The license number provided to NCHC belonged to Nurse X, not to Respondent.
7. On November 2, 2015, Respondent began working as a registered nurse at NCHC and worked there until April 29, 2016.
8. While employed at NCHC, Respondent performed the following nursing duties on numerous patients: passing medications, including controlled substances; flushing intravenous lines; changing indwelling catheters; performing simple wound dressings; monitoring blood sugars and taking vital signs.
9. The duties performed by Respondent while employed at NCHC constitute the practice of nursing pursuant to Wis. Admin. Code § N 6.03(1) and Wis. Stat. § 441.001(4).
10. Respondent received compensation from NCHC for the nursing duties performed above.

Reedsburg Area Medical Center

1. On or about May 12, 2016, Respondent submitted an application for employment as a registered nurse to Reedsburg Area Medical Center (RAMC) in Reedsburg, Wisconsin, under Nurse X's maiden name. On that employment application, Respondent falsely represented that she had an associate degree in nursing.
2. Respondent represented in the application that she previously worked as a registered nurse at NCHC in Wausau, Wisconsin. She also falsely represented that she worked as a registered nurse at a hospital in Naples, Florida; a hospital in Baraboo, Wisconsin; and a hospital in Weston, Wisconsin.
3. Respondent falsely represented that she held a State of Wisconsin professional nursing license and provided the license number, belonging to Nurse X, to RAMC.

4. Based on Respondent's representations to RAMC on her application for employment, RAMC offered her a position as a registered nurse.

5. On May 31, 2016, Respondent began working as a registered nurse at RAMC and worked there until August 22, 2016.

6. While employed at RAMC, Respondent performed a number of nursing duties on patients including, but not limited to, the following: physical assessments; post-operative assessments; medication administration; starting and discontinuing intravenous lines; bladder scans; starting and discontinuing indwelling catheters; performing wound dressings; telemetry and taking vital signs.

7. The duties performed by Respondent while employed at RAMC constitute the practice of nursing pursuant to Wis. Admin. Code § N 6.03(1) and Wis. Stat. § 441.001(4).

8. Respondent received compensation from RAMC for the nursing duties performed above.

9. "'R.N.' means a registered nurse licensed under ch. 441." Wis. Admin. Code § N 6.02(11).

10. Wisconsin Stat. § 441.06(2), states that "a holder of the license is a 'registered nurse', may append 'R.N.' to his or her name and is authorized to practice professional nursing."

11. Wisconsin Stat. § 441.06(4), states that "no person may practice or attempt to practice professional nursing, nor use the title, letters, or anything else to indicate that he or she is a registered or professional nurse unless he or she is licensed under this section."

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21, and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

2. The practice of professional nursing is defined, in Wis. Stat. § 441.001(4), as "the performance for compensation of any act in the observation or care of the ill, injured, or infirm, or for the maintenance of health or prevention of illness of others, that requires substantial nursing skill, knowledge, or training, or application of nursing principles based on biological, physical, and social sciences. Professional nursing includes any of the following:

- a. The observation and recording of symptoms and reactions.
- b. The execution of procedures and techniques in the treatment of the sick under the general or special supervision or direction of a physician, podiatrist licensed under ch. 448, dentist licensed under ch. 447, or optometrist licensed under ch. 449, or under an order of a person who is licensed to practice medicine, podiatry, dentistry, or optometry in another state if the person

making the order prepared the order after examining the patient in that other state and directs that the order be carried out in this state.

- c. The execution of general nursing procedures and techniques.
- d. Except as provided in s. 50.04(2)(b), the supervision of a patient and the supervision and direction of licensed practical nurses and less skilled assistants.

3. Pursuant to Wis. Stat. § 441.06(4), a license is required to engage in the practice of professional nursing, and to represent yourself as a professional nurse.

4. Respondent's conduct described in the Findings of Fact above constitutes the unlicensed practice of professional nursing, contrary to Wis. Stat. § 441.06(4).

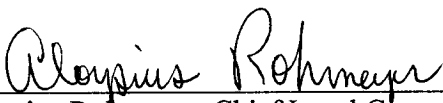
ORDER

- 1. The attached stipulation is accepted.
- 2. Unless and until Respondent is properly licensed to practice nursing by the Wisconsin Board of Nursing, Respondent is enjoined and prohibited from the practice of nursing in the state of Wisconsin. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).
- 3. Unless and until Respondent is properly licensed to practice nursing by the Wisconsin Board of Nursing, Respondent is enjoined and prohibited from using the title of nurse in the state of Wisconsin. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).
- 4. If the Department determines that there is probable cause to believe that Respondent has violated any terms of this Administrative Injunction, the Department may refer the violations covered by this decision and order to any appropriate prosecutorial unit for review for possible criminal charges.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 31ST day of July, 2018.

By:


Aloysius Rohmeyer, Chief Legal Counsel
On behalf of the Department

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF A PETITION FOR AN
ADMINISTRATIVE INJUNCTION
INVOLVING

JENNIFER L. BROWNE, f/k/a JENNIFER L.
PAGRYZINSKI,
RESPONDENT.

STIPULATION

0005827

Division of Legal Services and Compliance Case No. 16 UNL 131

Respondent Jennifer L. Brown, f/k/a/ Jennifer L. Pagryzinski, 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 admits the allegations in the findings of fact and conclusions of law and agrees to the adoption of the Administrative Injunction by the Secretary of the Department of Safety and Professional Services, and to its entry without further notice, pleadings, appearance or consent of the parties. Personal service of the Administrative Injunction is waived, and Respondent will accept service by mail.

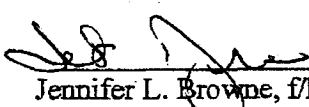
5. Respondent waives all rights to any appeal of the Secretary's order, if adopted in the form as attached.

6. The parties agree that an attorney for the Division of Legal Services and Compliance may appear before the Secretary without the presence of Respondent or her attorney for the purposes of speaking in support of this agreement and answering questions that the Secretary and his staff may have in connection with their deliberations on this case.

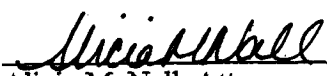
7. The Division of Legal Services and Compliance joins the Respondent in recommending that the Secretary adopt this Stipulation and issue the attached Administrative Injunction.

8. If the terms of this Stipulation are not acceptable to the Secretary, the parties shall not be bound by the contents of this Stipulation or the proposed Administrative Injunction, and the matter shall be returned to the Division of Legal Services and Compliance for further proceedings. In the event that this Stipulation is not accepted by the Secretary, the parties agree not to contend that the Secretary has been prejudiced or biased in any manner by the consideration of this attempted resolution.

9. Respondent is informed that should the Secretary adopt this stipulation, the Administrative Injunction is a public record and may be subject to publication, according to standard Department procedures.


Jennifer L. Browne, f/k/a Jennifer L.
Pagryzinski, Respondent
1120 Page Road
Hatley, WI 54440

7.13.18
Date


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

7/20/18
Date