

## 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

LORIEANN M. MILLER, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0006169**

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Division of Legal Services and Compliance Case No. 17 NUR 551

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

Lorieann M. Miller, R.N.  
N5079 Hetland Ave.  
Rib Lake, WI 54470-9741

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 Lorieann M. Miller, R.N., (DOB June 1, 1961) is licensed in the state of Wisconsin as a registered nurse, having license number 111190-30, first issued on September 11, 1992, and current through February 28, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is N5079 Hetland Avenue, Rib Lake, Wisconsin 54470-0741.

2. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a care center (Center), located in Weston, Wisconsin.

3. On July 13, 2015, Respondent was driving home from work and struck a bicyclist on the side of the road. The bicyclist later died as a result of the injuries that she sustained.

4. On February 20, 2017, Respondent was convicted in Marathon County Circuit Court case # 2016CF336 of one count in violation of Wis. Stat. § 940.10(1), Homicide by Negligent Operation of a vehicle, a class G felony. On May 16, 2017, she was sentenced to five years of probation, including twelve months of conditional jail with the special condition that she was to serve one week in jail each year from July 10 to July 17 while she was on probation, and that she was to speak to school and community groups about the dangers of texting while driving.

5. Respondent did not report this criminal conviction to the Board of Nursing in a timely manner.

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, Lorieann M. Miller, R.N. violated Wis. Admin. Code § N 7.03(1)(h), by failing to notify the board of a felony or misdemeanor in writing within 48 hours after the entry of the judgment of conviction.

3. As a result of the above conduct, Lorieann M. Miller, 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 Lorieann M. Miller, R.N. is REPRIMANDED.

3. Within 120 days from the date of this Order, Lorieann M. Miller, R.N. shall pay COSTS of this matter in the amount of \$499.00.

4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent 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)

You may also submit this information online via DSPS' Monitoring Case Management System, here:

<https://app.wi.gov/DSPSMonitoring>

5. In the event Respondent violates any term of this Order, Respondent's license (License #111190-30), 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 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.

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

WISCONSIN BOARD OF NURSING

by:

\_\_\_\_\_

A Member of the Board



\_\_\_\_\_

Date

5/6/19

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LORIEANN M. MILLER, R.N.,  
RESPONDENT.

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STIPULATION

**0006169**

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Division of Legal Services and Compliance Case No. 17 NUR 551

Respondent Lorieann M. Miller, 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. Respondent is represented by Attorney Marlene Garvis.

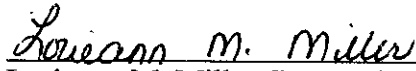
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives 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 or Respondent's attorney, 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.

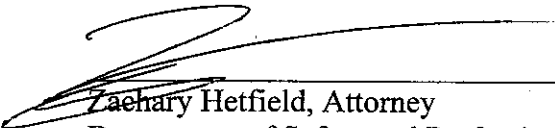
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Lorieann M. Miller, Respondent  
N5079 Hetland Ave.  
Rib Lake, WI 54470-9741  
License no. 111190-30

2-26-19  
Date

  
Marlene Garvis, Attorney for Respondent  
Marlene S. Garvis, LLC  
4597 Woodridge Rd  
Minnetonka, MN 55345

3.4.2019  
Date

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

3/11/19  
Date