

## 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

KRISTINA N. KENDALL, L.P.N.,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:

:  
:  
: **0006174**

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Division of Legal Services and Compliance Case No. 17 NUR 437

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

Kristina N. Kendall, L.P.N.  
10538 122<sup>nd</sup> Street  
Pleasant Prairie, WI 53158

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 Kristina N. Kendall, L.P.N., (DOB March 24, 1981) is licensed in the state of Wisconsin as a practical nurse, having license number 321466-31, first issued on January 10, 2017, and current through April 30, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 10538 122<sup>nd</sup> Street, Pleasant Prairie, Wisconsin 53158.

2. On May 9, 2017, the Department received notification via NURSUS and the National Council of State Boards of Nursing (N.C.S.B.N.) that the Indiana Board of Nursing (IN Board) indefinitely suspended Respondent's Indiana practical nursing license, license number 27057983A, effective April 27, 2017, due fraud, deceit, or material omission in obtaining her

license. The Order also noted that Respondent voluntarily ended her employment while under investigation for missing medications.

3. On May 23, 2017, IN Board issued a Final Order finding Respondent in default and indefinitely suspending Respondent's Indiana nursing license. Respondent may not request reinstatement, until, among other conditions, she participates in a professional assistance program for substance abuse.

4. The IN Board found that on January 27, 2016, Respondent was convicted of Operating a Vehicle While Intoxicated, a misdemeanor charge but Respondent failed to disclose the conviction when she renewed her Indiana license in October of 2016.

5. On December 30, 2016, Respondent applied for a Wisconsin practical nursing license. At the time of her Wisconsin nursing application, N.C.S.B.N. reported Respondent had an active Indiana nursing license and Respondent answered "no" to the question on the Wisconsin application regarding if she had pending or past discipline or criminal convictions.

6. On January 10, 2017, based on the information provided by Respondent in her application, the Department issued Respondent a Wisconsin practical nursing license.

7. Respondent denied attempting to hide her conviction and discipline against her Indiana nursing license.

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, Kristina N. Kendall, L.P.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, territory, or country. A certified copy of the record of the board is conclusive evidence of the final action.

3. By the conduct described in the Findings of Fact, Kristina N. Kendall, L.P.N., violated Wis. Admin. Code § N 7.03(5)(e) and (g), by engaging in fraud, deceit, or material omission in obtaining a license or certification or in the renewal of the license or certification. (g) Submitting false information in the course of an investigation.

4. As a result of the above conduct, Kristina N. Kendall, 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. Respondent Kristina N. Kendall, L.P.N., is REPRIMANDED.
3. The practical nursing license issued to Kristina N. Kendall, L.P.N., (license number 321466-31) and her privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact, are LIMITED as follows:
  - a. Within ninety (90) days of the date of this Order, Respondent shall at her own expense, successfully complete three (3) hours of education on the topic of professionalism, and four (4) hours of education on the topic of ethics offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
  - b. Respondent 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 continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
  - c. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.
4. The practical nursing license issued to Kristina N. Kendall, L.P.N., (license number 321466-31) and her privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact, are LIMITED as follows:
  - a. Within sixty (60) days from the date of this Order, Respondent shall, at her own expense, undergo an AODA assessment with an evaluator pre-approved by the Board or its designee who has experience conducting these assessments.
  - b. Prior to the assessment, Respondent shall provide a copy of this Order to the evaluator. Respondent shall provide the Department Monitor with written acknowledgment from the evaluator that a copy of this Order has been received by the evaluator. Such acknowledgment shall be provided to the Department Monitor prior to the assessment.
  - c. Respondent shall provide and keep on file with the evaluator current releases complying with state and federal laws. The releases shall allow the Board, its designee, and any employee of the Department to obtain a copy

of the assessment. Copies of these releases shall immediately be filed with the Department Monitor.

- d. Respondent shall identify and provide the evaluator with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated.
- e. The Board, or its designee, may impose additional limitations upon Respondent's license based on the results of the assessment and/or the evaluator's recommendations.
- f. Respondent shall comply with the evaluator's recommendations.

5. Pursuant to the Enhanced Nurse Licensure Compact, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation.

6. Within 120 days from the date of this Order, Kristina N. Kendall, L.P.N., shall pay COSTS of this matter in the amount of \$648.00.

7. Request for approval of courses, proof of successful course completion 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)

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

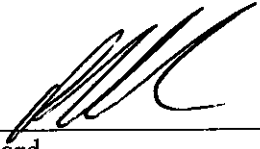
<https://app.wi.gov/DSPSMonitoring>

8. In the event Respondent violates any term of this Order, Respondent's license (321466-31), 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.

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

WISCONSIN BOARD OF NURSING

by:

  
A Member of the Board

5/8/19  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KRISTINA N. KENDALL, L.P.N.,  
RESPONDENT.

STIPULATION

0006174

Division of Legal Services and Compliance Case No. 17 NUR 437

Respondent Kristina N. Kendall, L.P.N., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

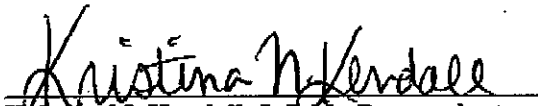
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives 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.

  
Kristina N. Kendall, L.P.N., Respondent  
10538 122<sup>nd</sup> Street  
Pleasant Prairie, WI 53158  
License no. 321466-31

4-19-19  
Date

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

4/23/2019  
Date