

## 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

AMANDA L. SOLTAU, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0006178**

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Division of Legal Services and Compliance Case No. 17 NUR 774

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

Amanda L. Soltau, R.N.  
216 Harriman Avenue N  
Amery, Wisconsin 54001

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 Amanda L. Soltau, R.N., (DOB March 30, 1987) is licensed in the state of Wisconsin as a registered nurse, having license number 191651-30, first issued on September 19, 2012, and current through February 28, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 216 Harriman Avenue North, Amery, Wisconsin 54001.

2. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a hospital (Hospital), located in Amery, Wisconsin.

3. On December 18, 2017, Respondent's work badge activity showed she entered the obstetrics (OB) department of the hospital where she worked, even though she was not scheduled to work that day.

4. The hospital conducted an audit that showed Respondent diverted four (4) tablets of Percocet® and then left the hospital.

5. On December 22, 2017, the hospital met with Amery Police Department and filed a report but did not pursue formal charges.

6. On March 1, 2018, Respondent admitted to diverting the pills in a signed letter to the Department but denied ingesting them.

7. Respondent participated in a diversion program offered by Polk County and attended a two (2) hour class, and therefore no arrest or conviction record exists for the incident.

8. Respondent stated she completed an Alcohol and Other Drug Assessment (AODA) and provided a copy to the Department. The assessment identified no need for treatment and a low risk for relapse. Respondent was not diagnosed with a substance abuse disorder.

9. 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, Amanda L. Soltau, R.N., violated Wis. Admin. Code § N 7.03(8)(e), by obtaining, possessing or attempting to obtain or possess a drug without lawful authority.

3. As a result of the above conduct, Amanda L. Soltau, 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 Amanda L. Soltau, R.N., is REPRIMANDED.

3. The registered nursing license issued to Amanda L. Soltau, R.N., (license number 191651-30) 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 five (5) hours of education on the topic of professional accountability and legal liability and three (3) 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.
  - i. 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.
  - ii. 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.
- b. For a period of two (2) years from the date of this Order, Respondent shall provide her nursing employer with a copy of this Order before engaging in any nursing employment. Respondent shall provide the Department Monitor with written acknowledgment from each nursing employer that a copy of this Order has been received. Such acknowledgment shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.
  - i. It is Respondent's responsibility to arrange for quarterly written reports to be submitted to the Department Monitor from her supervisor at each setting in which Respondent practiced nursing in the previous quarter. These reports shall be submitted as directed by the Department Monitor, and shall assess Respondent's work performance, and shall include the number of hours of active nursing practice worked during that quarter. If a report indicates poor performance, the Board may institute appropriate corrective limitations, or may revoke a stay of the suspension, in its discretion.
  - ii. After two (2) consecutive years of successful compliance, the Respondent may petition the Board for return of full licensure. The Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.
- c. Respondent shall undergo one (1) random hair drug test, scheduled by the Department Monitor, within 90 days from the date of this Order.

- i. If the hair test is positive or suspected positive for any controlled substances, Respondent shall promptly submit to additional tests or examinations as the Board or its designee shall determine to be appropriate to clarify or confirm the positive or suspected positive test results.
- ii. All confirmed positive test results shall be presumed to be valid. Respondent must prove by a preponderance of the evidence an error in collection, testing, fault in the chain of custody, or other valid defense.
- iii. If the test is confirmed positive, the Board or its designee may further limit Respondent's license in a manner to address any concerns the Board has as a result of the positive test.
- iv. The testing program shall submit information and reports to the Department Monitor as directed.

4. Respondent shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision and any other expenses associated with compliance with the terms of this Order.

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, Amanda L. Soltau, R.N. shall pay COSTS of this matter in the amount of \$833.00.

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 (191651-30), 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.

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

WISCONSIN BOARD OF NURSING

by:

  
\_\_\_\_\_  
A Member of the Board

5/9/19  
\_\_\_\_\_  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

AMANDA L. SOLTAU, R.N.,  
RESPONDENT.

STIPULATION

0006178

Division of Legal Services and Compliance Case No. 17 NUR 774

Respondent Amanda L. Soltau, R.N., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

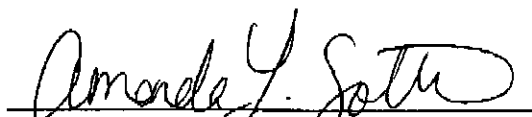
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives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



Amanda L. Soltau, R.N., Respondent  
216 Harriman Avenue N  
Amery, Wisconsin 54001  
License no. 191651-30

3.31.2019

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

4/1/2019

Date