

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JASON R. CHAPLIN, L.P.N.,  
RESPONDENT.

:  
:  
:  
:  
:

FINAL DECISION AND ORDER

0006179

---

Division of Legal Services and Compliance Case No. 17 NUR 432

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

Jason R. Chaplin, L.P.N.  
W12497 Highway 188  
Lodi, WI 53555

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 Jason R. Chaplin, L.P.N., (DOB: June 7, 1978) is licensed in the state of Wisconsin as a practical nurse, having license number 320046-31, first issued on November 25, 2015, and current through April 30, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is W12497 Highway 188, Lodi, Wisconsin 53555.

2. At all times relevant to this proceeding, Respondent was employed as a practical nurse in Indiana and Wisconsin.

3. On May 19, 2017, the Indiana State Board of Nursing (Indiana Board) issued a Recommended Findings of Fact, Conclusions of Law, and Order in reference to case number 2016 NB 0338 involving Respondent.

4. The Indiana Board found that on January 21, 1999, Respondent was charged with one (1) count of theft, a Class D felony, and one (1) count of trespass, a class A misdemeanor, in Vanderburgh Superior Court.

5. On May 3, 1999, the court accepted a plea agreement in which the Respondent pled guilty to the trespass charge. The theft charge was dismissed. The court sentenced Respondent to time served, fines and costs, and 120 hours of community service.

6. On December 27, 2010, Respondent submitted an application for licensure as a practical nurse in Indiana. The Respondent falsified his application when he answered “no” to the question asking if he had ever been convicted of or pled guilty to any offense, misdemeanor, or felony in any state.

7. In September 2015, Respondent began employment as a practical nurse at a health care center (Center) located in Indiana.

8. On October 21, 2015, Respondent allegedly filled two (2) trash bags with current medications from the medication cart and placed the trash bags in the Center’s dumpster. The Center investigated and terminated Respondent’s employment.

9. On June 16, 2017, the Indiana Board disciplined Respondent and issued an indefinite suspension of his practical nurse license, and a \$250.00 fine.

10. On November 8, 2015, Respondent completed an application to obtain practical nurse licensure in Wisconsin. Respondent’s licensure was granted on November 25, 2015, based on the information he provided on his application.

11. Respondent failed to report his employment with the Center on his application for licensure in Wisconsin. During the time he was employed at the Center, he listed another facility as his employer.

12. The Wisconsin application requires disclosure of all employment for the previous five (5) years. All dates and times must be accounted for.

13. Respondent answered “no” on the application when asked whether he had ever been convicted of a misdemeanor or felony, despite his conviction for misdemeanor trespass on May 3, 1999.

14. Respondent signified by his signature on the application that all answers were true in every respect and acknowledged a continuing duty of disclosure under penalty pursuant to disciplinary action.

15. In responses to the Department, Respondent indicated that he answered “no” to the question regarding past convictions on his application because a background check he underwent

in 2010 was completely clear. He did not think there was anything to disclose. He also stated that he did not disclose his employment with the Center on his application for licensure in Wisconsin because he had been employed there for such a short time and claims that he was terminated in retaliation for reporting the Center for numerous infractions.

16. 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, Jason R. Chaplin, L.P.N., violated Wis. Admin. Code § N 7.03(5)(e), by engaging in fraud, deceit, or material omission in obtaining a license or certification or in the renewal of the license or certification.

3. As a result of the above conduct, Jason R. Chaplin, 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. The license of Jason R. Chaplin, L.P.N., (license number 320046-31) to practice nursing in the state of Wisconsin, and his privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact, are **SUSPENDED** for six (6) months from the date of this Order.

3. For at least two (2) years from the date of this Order, while working at least half-time as a nurse, the license of Jason R. Chaplin, L.P.N., (license number 320046-31) to practice nursing in the State of Wisconsin, and his privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact, are **LIMITED** as follows:

- a. Respondent shall provide his 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.
- b. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall work only under direct supervision, and only in a work setting pre-approved by the Board. Respondent shall not work in a

home health, assisted living, agency, pool, or as a nurse in a correctional setting.

- c. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall arrange for his nursing employer(s) to send to the Department Monitor quarterly reports, reporting the terms and conditions of Respondent's employment and evaluating his work performance.
- d. Respondent shall notify the Department Monitor of any change of nursing employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.
- e. After two (2) years of working at least half-time as a nurse, Respondent may petition the board for the modification or termination of the limitation. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit.

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

5. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$862.00.

6. 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

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


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

7. In the event Respondent violates any term of this Order, Respondent's license (320046-31), or Respondent's right to renew his 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.

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

WISCONSIN BOARD OF NURSING

by:

  
A Member of the Board

  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

RECEIVED

MAR 18 2019

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JASON R. CHAPLIN, L.P.N.,  
RESPONDENT.

: DEPT OF SAFETY & PROFESSIONAL SERVICES  
: DIVISION OF LEGAL SERVICES & COMPLIANCE  
: STIPULATION  
:  
:

0006179

Division of Legal Services and Compliance Case No. 17 NUR 432

Respondent Jason R. Chaplin, 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.

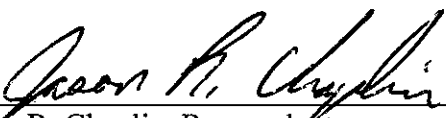
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

  
\_\_\_\_\_  
Jason R. Chaplin, Respondent  
W12497 Highway 188  
Lodi, WI 53555  
License no. 320046-31

3/13/19  
Date

  
\_\_\_\_\_  
Lesley McKinney, Attorney  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison WI 53707-7190

3/19/19  
Date