

## 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 :  
: FINAL DECISION AND ORDER  
CHELSEA R. KRATKY, L.P.N., :  
RESPONDENT. : 06270

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Division of Legal Services and Compliance Case No. 17 NUR 377

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

Chelsea R. Kratky, L.P.N.  
603 S. 9<sup>th</sup> St.  
De Pere, WI 54115

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 Chelsea R. Kratky, L.P.N., (DOB January 8, 1985) is licensed in the state of Wisconsin as a practical nurse, having license number 321104-31, first issued on November 7, 2016, and current through April 30, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1319 Franco Court, De Pere, Wisconsin 54115.

2. Upon information and belief, Respondent's current address is 603 South 9<sup>th</sup> Street, De Pere, Wisconsin 54115.

3. At all times relevant to this proceeding, Respondent was employed as a practical nurse at an assisted living facility (Facility) located in De Pere, Wisconsin.

4. On December 28, 2016, Facility staff discovered that Resident A was missing \$190 from her petty cash envelope and that Resident B was missing \$130 from her petty cash envelope.

5. On December 28, 2016, Facility administration reviewed video camera surveillance from December 24, 2018, which showed Respondent going into the Administrator's office, unlocking the locked closet to get the key for the petty cash drawer, unlocking the petty cash drawer, bending down, and appearing to put something in her left pocket. Thereafter, Respondent locked the drawer, returned the key, locked the closet, and exited the building out of the front door. Respondent was not scheduled to work on December 24, 2018.

6. Respondent was interviewed by the Facility and police on December 28, 2016, at which time she admitted to taking money from the petty cash accounts of Resident A and Resident B.

7. Respondent was terminated and escorted from the facility on December 28, 2016.

8. The Facility did an end-of-year audit of petty cash accounts and discovered that three (3) additional residents were missing money from their petty cash accounts (\$100, \$200, and \$200 respectively).

9. On or around January 5, 2017, Facility administration again reviewed video camera surveillance dating back to September 16, 2016, which showed Respondent on several occasions coming into the Facility on her days off, going into the locked office, using her key to unlock the closet, getting the key to the petty cash drawer, opening the petty cash drawer, taking whole files out and putting them into a personal blue bag, re-locking the drawer, putting the key back in the closet, locking the closet, and leaving the building.

10. Respondent subsequently admitted to police that she stole from the petty cash accounts of multiple other residents from October through December 2016. Respondent admitted that she knew it was wrong to steal the money.

11. On February 7, 2017, Respondent was charged in Brown County Court case number 2017CM0196 with two (2) counts of theft of moveable property, a misdemeanor, in violation of Wis. Stat. § 943.20(1)(a).

12. On April 14, 2017, Respondent was convicted in Brown County Court case number 2017CM0196 of one (1) count of theft of moveable property, a misdemeanor, in violation of Wis. Stat. § 943.20(1)(a). The second charge was dismissed but read in. Respondent was sentenced to twelve (12) months of probation, forty (40) hours community service, payment of restitution in the amount of \$605.22 to the Facility, payment of other costs, and a COMPAS evaluation.

13. On January 14, 2019, Respondent's probation officer reported that Respondent has been compliant with all terms of her probation including community service and maintaining employment. Her probation had been extended solely for the purpose of continued payment of restitution.

14. 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, Chelsea R. Kratky, L.P.N., violated Wis. Admin. Code § N 7.03(2), by violating or aiding and abetting a violation of any law substantially related to the practice of nursing or being convicted of any crime substantially related to the practice of nursing.

3. By the conduct described in the Findings of Fact, Chelsea R. Kratky, L.P.N., violated Wis. Admin. Code § N 7.03(4)(a), by soliciting, borrowing, misappropriating, obtaining, or attempting to obtain money or property from a patient or a patient's family.

4. As a result of the above conduct, Chelsea R. Kratky, 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 practical nursing license issued to Chelsea R. Kratky, L.P.N., (license number 321104-31) and her privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact, are SUSPENDED for two (2) months from the date of this Order.

3. Within six (6) months of the date of this Order, Chelsea R. Kratky, L.P.N., shall, at her own expense, take and successfully complete four (4) hours of education on the topic of ethics in nursing, offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.

4. 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 education requirements that have been or may be instituted by the Board or Department.

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 of the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,184.00.

7. 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

Or they may be submitted online via the Department's Monitoring Case Management System at:


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

8. In the event Respondent violates any term of this Order, Respondent's license (321104-31) 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

6/13/19  
\_\_\_\_\_  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

CHELSEA R. KRATKY, L.P.N.,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

0006230

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Division of Legal Services and Compliance Case No. 17 NUR 377

Respondent Chelsea R. Kratky, 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.

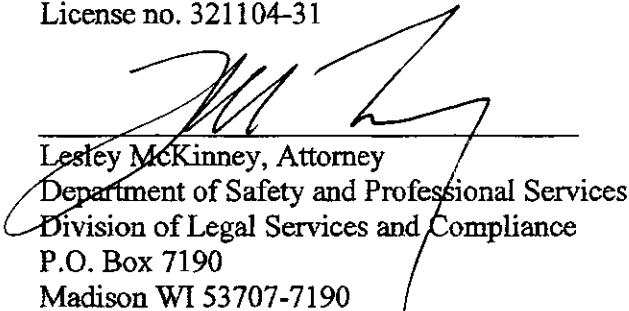
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Chelsea R. Kratky, L.P.N., Respondent  
603 S. 9<sup>th</sup> St.  
De Pere, WI 54115  
License no. 321104-31

5/27/19  
Date



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

5/30/19  
Date