

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:
	: FINAL DECISION AND ORDER
VALERIE R. HAERTL, L.P.N.,	: FOR REMEDIAL EDUCATION
LICENSEE.	: ORDER 0006473

Division of Legal Services and Compliance Case No. 16 NUR 348

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

Valerie R. Haertl, L.P.N.
3865 N. 92nd St.
Milwaukee, WI 53222-2503

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. Licensee Valerie R. Haertl, L.P.N., (DOB January 20, 1966) is licensed in the state of Wisconsin as a practical nurse, having license number 311114-31, first issued on April 1, 2009, and current through April 30, 2021. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 3865 North 92nd Street, Milwaukee, Wisconsin 53222-2503.

2. At all times relevant to this proceeding, Licensee was employed as a practical nurse at a facility (Facility), located in Brookfield, Wisconsin.

3. Patient A is diagnosed with obsessive compulsive disorder (OCD) and likes to collect cups, straws, and ice.

4. Licensee was familiar with Patient A's compulsive behavior as she had provided care to him for several years.

5. On June 5, 2016, Licensee attempted to redirect Patient A, who was walking to another unit to collect cups and straws.

6. Patient A became agitated and struck Licensee in the face, causing discoloration and swelling to the area.

7. Witness accounts vary widely on Licensee's attempts to restrain and redirect Patient A. These accounts range from "slamming" her body into Patient A and "slapping" straws from Patient A's hands, to Licensee speaking calming words of redirection to Patient A with other personnel restraining Patient A's arms.

8. Despite Patient A's documented balance issues, Patient A did not fall and was not injured.

9. On June 8, 2016, Licensee's employment was terminated.

10. In resolution of this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months of the date of this Order, Valerie R. Haertl, L.P.N., shall at her own expense take and successfully complete eight (8) hours of education on the topic of de-escalating challenging patients as follows:

- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
- b. Licensee 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.

3. Request for approval of courses and proof of successful course completion shall be sent by Licensee to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
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>

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

WISCONSIN BOARD OF NURSING

by:


A Member of the Board

10/01/19
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

VALERIE R. HAERTL, L.P.N.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0006473

Division of Legal Services and Compliance Case No. 16 NUR 348

Respondent Valerie R. Haertl, 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. Respondent is represented by Attorney Michael D. Dean.

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.

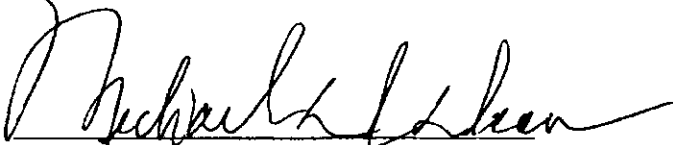
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



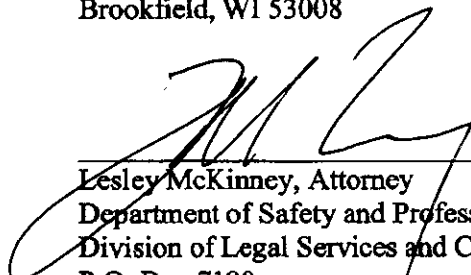
Valerie R. Haertl, L.P.N., Respondent
3865 N. 92nd St.
Milwaukee, WI 53222-2503
License no. 311114-31

9/6/19
Date



Michael Dean, Attorney for Respondent
Michael D. Dean, LLC
PO Box 2545
Brookfield, WI 53008

9.6.19
Date



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

9/23/19
Date