

## 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 M. GIESE, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0006527**

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Division of Legal Services and Compliance Case No. 18 NUR 784

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

Kristina M. Giese, R.N.  
N8283 Kellom Road, Lot #111  
Beaver Dam, WI 53916

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 M. Giese, R.N., (DOB January 12, 1989) is licensed in the state of Wisconsin as a registered nurse, having license number 236674-30, first issued on July 5, 2017, and current through February 28, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is N8283 Kellom Road, Lot Number 111, Beaver Dam, Wisconsin 53916.

2. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a rehabilitation Center (Center), located in Lomira, Wisconsin.

3. On April 26, 2018, Respondent was found unresponsive at her grandmother's home and 911 was called.

4. Officers from the Dodge County Sheriff's Department responded to the scene and located a pill bottle, labeled with Respondent's name, which contained seven (7) different pills inside. Four (4) of the pills were identified as buspirone, prednisone, quetiapine, and gabapentin. Another pill was identified as diphenhydramine, and two (2) pills were unidentified.

5. Respondent admitted she possessed and ingested gabapentin and quetiapine during the evening of April 25, 2018, without having valid prescriptions for either. Respondent stated that she took the gabapentin from her grandmother without her knowledge and the quetiapine belonged to her boyfriend.

6. On June 22, 2018, Respondent was charged in Dodge County Circuit Court case number 2018CM000204 with two (2) counts of possess/illegally obtained prescription, an unclassified misdemeanor, in violation of Wis. Stat. § 450.11(7)(h).

7. On December 21, 2018, an amended complaint was filed, changing the charges to one (1) count of theft – moveable property <=\$2500, a class A misdemeanor in violation of Wis. Stat. § 943.20(1)(a), and one (1) count of disorderly conduct, a class B misdemeanor in violation of Wis. Stat. § 947.01(1).

8. Respondent was convicted on December 21, 2018, of one (1) count of theft – moveable property <=\$2500, a class A misdemeanor in violation of Wis. Stat. § 943.20(1)(a), and one (1) count of disorderly conduct, a class B misdemeanor in violation of Wis. Stat. § 947.01(1). Respondent was sentenced to 18 months of probation, an alcohol and other drug abuse (AODA) assessment, a psychiatric assessment, and payment of costs.

9. Respondent states that at the time of the incident she suffered from anxiety and depression, had not been receiving psychiatric care, and had a mental health crisis.

10. On August 8, 2018, Respondent received an AODA assessment which concluded she did not meet the criteria for any substance use disorder or AODA issues. Respondent's AODA enrollment was closed and she was referred for mental health therapy.

11. Since August 2018, Respondent has received psychiatric care and mental health counseling. As of July 11, 2019, records reflect that Respondent had improved anxiety and depression and was doing well.

12. Respondent has remained employed with the Center since the date of the incident.

13. 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 M. Giese, R.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, Kristina M. Giese, 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.

4. As a result of the above conduct, Kristina M. Giese, 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 Kristina M. Giese, R.N., is REPRIMANDED.

3. The registered nurse license issued to Kristina M. Giese, R.N., (license number 236674-30) 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, at her own expense, shall complete three (3) hours of education on the topic of professional accountability and legal liability and three (3) hours of education on the topic of ethics. Respondent is responsible for finding an appropriate course and submitting the course information to the Board or its designee for approval prior to taking the course and in sufficient time to obtain Board approval within the ninety (90) day timeframe, taking into account the Board's meeting schedule. Respondent shall provide proof of completion of the education to the Department Monitor.
- b. For a period of at least two (2) years while working at least half-time as a nurse, 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.

- c. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall arrange for her nursing employer(s) to send to the Department Monitor quarterly reports, reporting the terms and conditions of Respondent's employment and evaluating her work performance.
- d. Pursuant to the Enhanced Nurse Licensure Compact, Respondent may not practice nursing in a Compact state, other than Wisconsin, during the pendency of this limitation.
- e. 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.
- f. Respondent shall comply with any and all terms of the sentencing order in Dodge County Court case number 2018CM000204, as set forth in the Judgment of Conviction dated December 21, 2018. Any violation of the terms of that sentencing order is a violation of this Order.
- g. 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.

1. Within 120 days from the date of this Order, Kristina M. Giese, R.N., shall pay COSTS of this matter in the amount of \$980.00.

2. 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 the Department's Monitoring Case Management System at

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

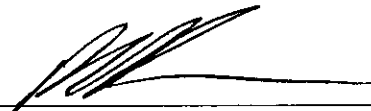
3. In the event Respondent violates any term of this Order, Respondent's license (236674-30), or Respondent's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with

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.

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

WISCONSIN BOARD OF NURSING

by:

  
A Member of the Board

11/14/19  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KRISTINA M. GIESE, R.N.,  
RESPONDENT.

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STIPULATION

**ORDER 0006527**

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Division of Legal Services and Compliance Case No. 18 NUR 784

Respondent Kristina M. Giese, 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.



Kristina M. Giese, Respondent  
N8283 Kellom Rd., Lot #111  
Beaver Dam, WI 53916  
License no. 236674-30

9/27/19  
Date



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

10/3/19  
Date