

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KYLE G. LARSEN, L.P.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:

:
: **ORDER 0006750**
:

Division of Legal Services and Compliance Case No. 18 NUR 642

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

Kyle G. Larsen, L.P.N.
Appleton, WI 54911

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 Kyle G. Larsen, L.P.N., (DOB: XX/XX/1986) is licensed in the state of Wisconsin as a practical nurse, having license number 312631-31, first issued on June 24, 2010. This license expired on April 30, 2019, and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to renew upon payment of a fee until April 29, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Appleton, Wisconsin 54911.

2. In 2017, Respondent opened a business, Medical Psychology of Wisconsin, LLC (Office) located in Appleton, Wisconsin. The business website stated the practice was an "individual clinical practice that offers comprehensive care for a variety of conditions. We have

a strong emphasis on treating chronic pain conditions as well as mental health disorders and we treat individuals of all ages.”

3. Respondent claimed to be a psychologist and doctor of osteopath with degrees from the University of Wisconsin-Madison.

4. Respondent admitted to providing treatment to two (2) different patients, Patient A and Patient B. Respondent also treated Patient C for a tick bite to ensure there were no concerns for Lyme’s disease.

5. Respondent prescribed Wellbutrin to Patient A, amoxicillin to Patient C, and Ritalin to Patient D. All three (3) prescriptions were left-over medications that had been prescribed to Respondent.

6. Respondent provided electroconvulsive therapy to Patient A.

7. Respondent administered a flu shot to Patient B.

8. Respondent did not write prescriptions for patients to fill at a pharmacy. Instead he kept prescription medication in his office space to dispense to patients. Respondent dispensed medications to Patients A, C, and D.

9. Prescription medication provided to Patient A was in a prescription pill bottle containing a label; however, the first two (2) letters or numbers of the Drug Enforcement Agency registration number for prescribing controlled substances were scratched off.

10. Patient A and Respondent agreed that Patient A would pay Respondent \$100.00 per week, and Patient A believes she paid approximately \$1,000.00 to Respondent over the course of her treatments.

11. Patient B paid Respondent \$20.00 on one (1) occasion for services but was otherwise not asked to pay for her appointments.

12. On December 19, 2019, Respondent entered no contest pleas to three (3) counts of theft-false representation-special facts, a class H felony, in violation of Wis. Stat. § 943.20(1)(d); one (1) count of manufacture or deliver prescription drug, a class H felony, in violation of Wis. Stat. § 450.11(9)(b); one (1) count of manufacture/deliver non-narcotics, a class H felony, in violation of Wis. Stat. § 961.41(1)(b); one (1) count of maintain drug trafficking place, a class I felony, in violation of Wis. Stat. § 961.42(1); two (2) counts of practice medicine/surgery without a license, a class U misdemeanor, in violation of Wis. Stat. § 448.03(1)(a); three (3) counts of practice pharmacy without a license, a class U misdemeanor, in violation of Wis. Stat. § 450.03(1); and two (2) counts of unlicensed practice of psychology, a class U misdemeanor, in violation of Wis. Stat. § 455.02(1m).

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, Respondent violated Wis. Admin. Code § N 7.03(1)(e), by practicing beyond the scope of practice permitted by law.
3. By the conduct described in the Findings of Fact, Respondent 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.
4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(5)(h), by misrepresenting his credentials.
5. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(6)(b), by lacking knowledge, skill, or ability to discharge professional obligations within the scope of nursing practice.
6. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(6)(c), by departing from or failing to conform to the minimal standards of acceptable nursing practice that may create unnecessary risk or danger to a patient's life, health, or safety.
7. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(6)(i), by failing to consult or delay in consultation for clinical care beyond scope of practice.
8. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(8)(a), by prescribing any drug other than in the course of legitimate practice or as otherwise prohibited by law.
9. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(8)(b), by dispensing any drug other than in the course of legitimate practice or as otherwise prohibited by law.
10. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(8)(e), by obtaining, possessing or attempting to obtain or possess a drug without lawful authority.
11. As a result of the above conduct, Respondent 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 Respondent (license no. 312631-31) to practice as a practical nurse in the state of Wisconsin, and his privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact are REVOKED.

3. Respondent may not petition for reinstatement of his practical nursing license pursuant to Wis. Stat. § 441.07(2), earlier than five (5) years from the date of revocation.

4. In the event Respondent petitions the Board for reinstatement as a licensed practical nurse in the future, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.

4. Within 180 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,144.00.

5. 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 the Department's Monitoring Case Management System at

www.dspsmonitoring.wi.gov

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

WISCONSIN BOARD OF NURSING

by: Peter Kallio
A Member of the Board

4/9/2020
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KYLE G. LARSEN, L.P.N.,
RESPONDENT.

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:
:
:
:

STIPULATION

ORDER 0006750

Division of Legal Services and Compliance Case No. 18 NUR 642

Respondent Kyle G. Larsen, 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.

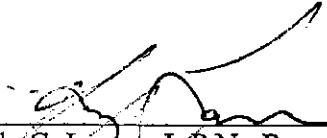
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

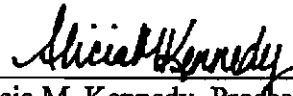
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Kyle G. Larsen, L.P.N., Respondent
Appleton, WI 54911
License No. 312631-31

3-20-20

Date



Alicia M. Kennedy, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison WI 53707-7190

March 25, 2020

Date