

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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/wscga>

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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KAYLA L. VIG, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0006837**

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Division of Legal Services and Compliance Case No. 19 NUR 250

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

Kayla L. Vig, R.N.  
Waunakee, WI 53597

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 Kayla L. Vig, R.N. (DOB: XX/XX/1991) is licensed in the state of Wisconsin as a registered nurse, having license number 195827-30, first issued on August 9, 2013, and current through February 28, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Waunakee, Wisconsin 53597.

2. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a hospital/clinic (Facility), located in Madison, Wisconsin.

3. On May 4, 2019, Respondent diverted Adderall from the Facility and consumed the Adderall prior to work on May 8, 2019.

4. After review of Respondent's controlled substances dispense history from April through early-May 2019, Facility interviewed Respondent on May 8, 2019. The following occurred:

- a. Respondent admitted to removing an amphetamine 20 mg tab during shift count on May 4, 2019, without legitimate purpose to do so; Respondent advised Facility that she had second thoughts about keeping the tab, so she disposed of the tab in a sharps bin towards the end of her shift.
- b. The sharps bin was searched, and the amphetamine tab was not located.
- c. Although Respondent advised Facility several times that she "didn't take" the amphetamine tab, she ultimately acknowledged that she had consumed the tablet.
- d. Respondent submitted to a controlled substance test based on Facility's suspicion of diversion and use by Respondent.

5. On May 17, 2019, the drug screen test results were positive for amphetamine.

6. On May 24, 2019, Respondent was terminated by Facility.

7. Respondent entered into a Department impairment program contract, separate from this Order, which contract became effective November 25, 2019.

8. 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(8)(e), by obtaining, possessing or attempting to obtain or possess a drug without lawful authority.

3. 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 number 195827-30) to practice nursing in the state of Wisconsin is SUSPENDED for seven (7) days. This suspension will be in effect beginning at 12 a.m. on June 12, 2020 and ending on June 18, 2020 at 11:59 p.m.

3. Respondent's license to practice nursing is LIMITED as follows:

- a. Respondent must comply with the Department impairment program contract dated and effective November 25, 2019.
- b. Any violation of the terms of the impairment program contract, dated November 25, 2019, is a violation of this order.
- c. Respondent may petition for termination of the limitation upon successful completion of the impairment program.

4. In the event Respondent is discharged from the impairment program prior to successful completion of that program, Respondent's license may, in the discretion of the Board or its designee, be immediately SUSPENDED. In addition to, or instead of, the suspension, the Board may impose additional limitations to address any concerns with the conduct contained in the Findings of Fact and involved in Respondent's discharge from the impairment program.

5. Pursuant to the Enhanced Nurse Licensure Compact (Compact), Respondent may not practice in another Compact State, other than Wisconsin, while their license is encumbered by any term or restriction of this order.

6. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$472.00

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](mailto:DSPSMonitoring@wisconsin.gov)

You may also submit this information online via the Department's Monitoring Case Management System at

<https://dpsmonitoring.wi.gov>

7. In the event Respondent violates any term of this Order, Respondent's license (195827-30), 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.

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

WISCONSIN BOARD OF NURSING

by: Peter Kallio  
A Member of the Board

6/11/2020  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KAYLA L. VIG, R.N.,  
RESPONDENT.

STIPULATION

**ORDER 0006837**

Division of Legal Services and Compliance Case No. 19 NUR 250

Respondent Kayla L. Vig, 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. Respondent is represented by Attorney Mario Mendoza.

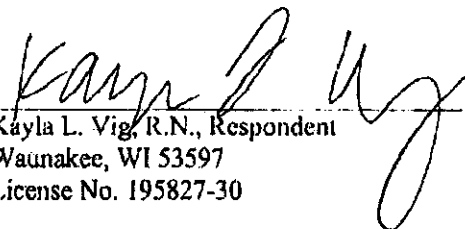
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives 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.

  
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Kayla L. Vig, R.N., Respondent  
Waunakee, WI 53597  
License No. 195827-30

6-1-2020  
Date

  
\_\_\_\_\_  
Mario Mendoza, Attorney for Respondent  
Murphy Desmond  
33 East Main Street, Suite 500  
Madison, WI 53703

6-1-2020  
Date

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

June 2, 2020  
Date