

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 :
 : FINAL DECISION AND ORDER
LEIGHANN M. PIETZ, R.N., :
RESPONDENT. : **ORDER 0006931**

Division of Legal Services and Compliance Case No. 19 NUR 081

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

Leighann M. Pietz, R.N.
Bloomer, WI 54724

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 Leighann M. Pietz, R.N., (D.O.B. xx-xx-1965) is licensed in the state of Wisconsin as a registered nurse, having license number 134168-30, first issued on February 7, 2000, and current through February 28, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Bloomer, Wisconsin 54724.

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

3. On June 20, 2018, Respondent was Registered Nurse House Supervisor at the Facility. She was observed making fun of Patient A, a dementia patient, in front of other staff.

Respondent mimicked Patient A by saying “help me, help” and “please, please.” Respondent was demoted from her supervisor position by the Facility.

4. On February 23, 2019, Respondent attempted to get a blood sugar reading from Patient B who suffered from arthritis. Instead of using one of Patient B’s extended fingers, Respondent grabbed and pulled on one of his curled, arthritic fingers, causing him pain. Respondent admitted to the Facility she may have been rough with his arm.

5. On March 13, 2020, the Department sent a letter to Respondent at her mailing address on file with the Department requesting her response to the allegations by March 27, 2020. Respondent failed to respond.

6. On April 24, 2020, the Department sent a second letter to Respondent at her mailing address on file with the Department requesting her response to the allegations by May 8, 2020. This letter was also emailed to Respondent at her email address on file with the Department. Respondent failed to respond.

7. On May 13, 2020, the Department sent a third letter to Respondent at her mailing address on file with the Department requesting her response to the allegations by May 27, 2020. This letter was also emailed to Respondent at her email address on file with the Department. Respondent failed to respond.

8. On May 28, 2020, a Department investigator called Respondent at her telephone number on file with the Department. A recording indicated Respondent did not have voicemail and the call was disconnected.

9. On May 29, 2020, a Department attorney emailed Respondent at her email address on file with the Department requesting her response to the allegations by June 12, 2020. Respondent failed to respond.

10. 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. Stat. § 440.20(5)(a) and Wis. Admin. Code § N 7.03(1)(c), by failing to cooperate in a timely manner with the board’s investigation of a complaint filed against a license holder.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(4)(c), by abusing a patient by a single or repeated act of force, violence, harassment, deprivation, neglect, or mental pressure which reasonably could cause physical pain, injury, mental anguish, or fear.

4. 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. Actual injury to a patient need not be established.

5. 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. Respondent is REPRIMANDED.
3. The registered nurse license issued to Respondent (license number 134168-30) is LIMITED as follows:
 - a. Within ninety (90) days of the date of this Order, Respondent shall at her own expense, successfully complete three (3) hours of education on the topic of recognizing patient abuse.
 - b. Respondent shall be responsible for obtaining the course required under this Order, for providing an adequate course description to the Department Monitor, and for obtaining pre-approval of the course from the Wisconsin Board of Nursing, or its designee, prior to commencement of the course.
 - c. The Board or its designee may change the number of credit hours and/or education topics in response to a request from Respondent. The Board or its designee may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
 - d. 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.
 - e. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department.
 - f. The limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed the ordered education.

4. Pursuant to the Enhanced Nurse Licensure Compact (Compact), Respondent may not practice in a Compact state, other than Wisconsin, during the pendency of this limitation.

5. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$852.00.

6. 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
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online via DSPS' Monitoring Case Management System, here:
www.dpsmonitoring.wi.gov

7. In the event Respondent violates any term of this Order, Respondent's license (No. 134168-30), 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

8/13/2020
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

LEIGHANN M. PIETZ, R.N.,
RESPONDENT.

STIPULATION

ORDER 0006931

Division of Legal Services and Compliance Case No. 19 NUR 081

Respondent Leighann M. Pietz, 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.

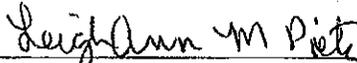
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



Leighann M. Pietz, R.N., Respondent
Bloomer, WI 54724
License No. 134168-30

7/13/20

Date



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

7/16/2020

Date