

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

NANCY J. HICKS, R.N.,
RESPONDENT.

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INTERIM ORDER

ORDER 0006938

Division of Legal Services and Compliance Case No. 20 NUR 246

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

Nancy J. Hicks, R.N.
Augusta, WI 54722

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 interim 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 Nancy J. Hicks, R.N., (DOB XX-XX-1957) is licensed in the state of Wisconsin as a registered nurse, having license number 110820-30, first issued on September 11, 1992, 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 Augusta, Wisconsin 54722.

2. On February 7, 2020, Respondent was charged in Eau Claire County Circuit Court case number 20CF232 with two (2) counts of child abuse-intentionally cause harm, a class H felony, in violation of Wis. Stat. § 948.03(2)(b), and one (1) count of strangulation and suffocation, a class H felony, in violation of Wis. Stat. § 940.235(1).

3. On March 2, 2020, Respondent was charged in Eau Claire County Circuit Court case number 20CF352 with one (1) count of bail jumping-felony, a class H felony, in violation of Wis. Stat. § 946.49(1)(b).

4. The allegations in the above-mentioned court cases are the same allegations at issue in this matter.

5. Respondent denies the allegations but agrees to the limitations below while the matter is pending.

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).

ORDER

1. The attached Stipulation is accepted.

2. The license of Nancy J. Hicks, R.N., (license number 110820-30) to practice nursing in the state of Wisconsin, is LIMITED indefinitely from the date of this Order.

3. 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.

4. During the term of this Order, Respondent shall work under direct supervision on weekdays (Monday through Friday). Respondent may work under general supervision on the weekends (Saturday and Sunday) if a supervisor is not available, but may not be the only nurse on the floor. Respondent shall only work in a work setting pre-approved by the Board. Respondent shall not work in a home health, assisted living, agency, pool or as a nurse in a correctional setting. Respondent shall not work with or provide cares for anyone under the age of 18.

5. During the term of this Order, Respondent shall arrange for her nursing employer(s) to send to the Department Monitor monthly reports, reporting the terms and conditions of Respondent's employment and evaluating her work performance.

6. 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.

7. 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.

8. Any requests, petitions, reports, and other information required by this Order shall be mailed, e-mailed, faxed, or delivered to:

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 DSPS' Monitoring Case Management System, here:

www.dpsmonitoring.wi.gov

9. This Interim Order shall remain in effect until a Final Decision and Order is issued by the Board.

10. In the event Respondent violates any term of this Order, Respondent's license, 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.

11. 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

NANCY J. HICKS, R.N.,
RESPONDENT.

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STIPULATION


ORDER 0006938

Division of Legal Services and Compliance Case No. 20 NUR 246

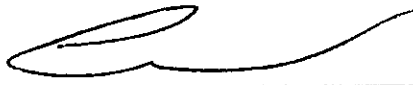
Respondent Nancy J. Hicks, R.N., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance.
2. 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 Christopher Wilhelm.
3. Respondent neither admits nor denies the allegation in these matters, but agrees to the adoption of the attached Interim Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Interim 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.
4. 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.
5. 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 a case advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, or Respondent's attorney, if any, 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 Interim Order.
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Interim 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 Interim Order.


Nancy J. Hicks, R.N., Respondent
License No. 110820-30

07-20-2020
Date


Christopher Wilhelm, Attorney for Respondent
Cohen Law Offices, LLC
17 S. Barstow St.
P.O. Box 1938
Eau Claire, WI 54702-1938

7-20-20
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

July 21, 2020
Date