

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :
TIMOTHY M. DREA, R.N., : FINAL DECISION AND ORDER
LICENSEE. : FOR REMEDIAL EDUCATION
: **ORDER 0006939**

Division of Legal Services and Compliance Case No. 20 NUR 156

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

Timothy M. Drea, R.N.
Kendall, WI 54638

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, Conclusion of Law, and Order.

FINDINGS OF FACT

1. Licensee Timothy M. Drea, R.N., (DOB: XX/XX/1960) is licensed in the state of Wisconsin as a registered nurse, having license number 116901-30, first issued on July 21, 1994 and current through February 28, 2022. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Kendall, Wisconsin 54638.

2. At all times relevant to this matter, Licensee was working as a registered nurse at a residential living facility in Elroy, Wisconsin (Facility).

3. On March 11, 2020, Licensee discovered that his wallet was missing from his jacket and he questioned a Facility resident who had been in the area earlier. The resident has cognitive issues and had taken and hidden Licensee's wallet as a joke.

4. Upon questioning by Licensee, the resident indicated he had Licensee's wallet in his back pocket. Licensee then used expletives while telling the resident to never touch his wallet again and that he would break the resident's hands if he did so.

5. The Facility conducted an investigation during which the resident stated he felt bad about taking Licensee's wallet and was not upset about Licensee's response. All other Facility residents and employees who were interviewed had no concerns about Licensee and instead reported only positive things about him.

6. Licensee immediately expressed remorse for the incident and provided the Department with a supportive letter of reference from his supervisor at the Facility, as well as a letter from his health care provider describing "significant follow up" after the incident.

7. After the incident, Licensee successfully completed the following education:

- a. Abuse & Neglect (.5 hours)
- b. Anger Management (.5 hours)
- c. Handling Aggressive Behaviors (.5 hours)
- d. Managing Behavioral Challenges (1 hour)
- e. Stress Management for the Caregiver (1 hour)

8. In resolution of this matter, Licensee consents to the entry of the following Conclusion of Law and Order.

CONCLUSION OF LAW

1. The Wisconsin Board of Nursing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. The Board recognizes the aforementioned remedial education courses completed by Licensee as the equivalent of the education the Board would have otherwise ordered. These courses may not be used to satisfy the statutory continuing education requirements for licensure.

3. 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 THE LICENSE OF :
TIMOTHY M. DREA, R.N., : STIPULATION
LICENSEE. : **ORDER 0006939**

Division of Legal Services and Compliance Case No. 20 NUR 156

Licensee Timothy M. Drea, 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. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Licensee 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. Licensee 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 Licensee, 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. Licensee 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.

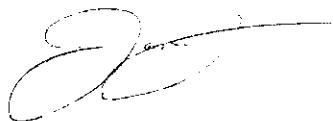
8. The Division of Legal Services and Compliance joins Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Timothy M. Drea, R.N., Licensee
Kendall, WI 54638
License No. 116901-30

08/02/20

Date



Joost Kap, Attorney
Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison WI 53707-7190

08/03/2020

Date