

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF APPLICATION FOR A REGISTERED NURSE CREDENTIAL :  
: ORDER GRANTING  
: LIMITED LICENSE  
: JOURDAN KUFAHL, :  
: APPLICANT. :  
**ORDER 0007072**

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

Jourdan Kufahl  
Wausau WI 54401

Wisconsin Board of Nursing  
Department of Safety and Professional Services  
4822 Madison Yards Way  
P.O. Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the resolution of this renewal application. The Wisconsin Board of Nursing (Board) adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Jourdan Kufahl (Applicant) resides in Wisconsin.
2. On or about November 11, 2019, Applicant was granted a Wisconsin Licensed Practical Nurse (LPN) credential (no. 324617-31).
  - A. Applicant's LPN credential was limited under certain terms and conditions in Order 6566, dated November 11, 2019.
  - B. Order 6566 found Applicant has the following violations and convictions:
    - i. On or about May 24, 2012 – Disorderly Conduct with a Motor Vehicle, an ordinance violation.
    - ii. On or about July 18, 2012 – Battery (Domestic Abuse), a misdemeanor conviction.
    - iii. On or about November 12, 2012 – Battery, a misdemeanor conviction.

- iv. On or about November 12, 2012 – Disorderly Conduct (Habitual Criminality), a misdemeanor conviction.
- v. On or about August 12, 2013 – Disorderly Conduct (Habitual Criminality), a misdemeanor conviction.
- vi. On or about February 7, 2014 – Theft (Party to a Crime), a misdemeanor conviction.
- vii. On or about January 29, 2015 – Possession of Controlled Substance, a misdemeanor conviction.
- viii. On or about March 3, 2016 – Disorderly Conduct (Habitual Criminality), a misdemeanor conviction.
- ix. On or about November 15, 2016 – Disorderly Conduct (Habitual Criminality), a misdemeanor conviction.

- C. Order 6566 found Applicant's conviction history violated Wis. Stat. §§ 441.07(1g)(b) and (c), and Wis. Admin. Code § N 7.03(6)(f), by committing acts which show Applicant to be unfit or incompetent by reason of abuse of alcohol or other drugs; and unable to practice safely by reason of alcohol or other substance abuse.
- D. Order 6566 limited Applicant's LPN license to certain terms and conditions for a period of at least two (2) years from the date of the Order, November 19, 2019.
- E. Order 6566 ordered Applicant to undergo a fitness for practice evaluation and submit the results of the evaluation to the Department Monitor.
- F. On March 12, 2020, the Board reviewed and accepted the report from Applicant's fitness to practice evaluation.
- G. Applicant's LPN credential was further limited to include a requirement that Applicant enter into and continue therapy by a therapist approved by the Board or its designee, with quarterly reports to be submitted by the therapist to the Department Monitor for a period of at least one (1) year.

3. On or about April 24, 2020, Applicant filed an application (no. 719291) for a Wisconsin Registered Nurse credential.

4. As of September 21, 2020, the Department Monitor reports Applicant has been mostly compliant with the order, including compliance with his drug testing and obtaining an approved treater. However, applicant is missing a quarterly treatment report. Applicant has not yet

demonstrated full compliance of two (2) consecutive years of successful compliance under Order 6566.

5. In resolution of this matter, Applicant consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07 and is authorized to enter the attached Stipulation pursuant to Wis. Stat. §§ 15.08(5)(c) and 227.44(5).

2. The Board may deny or limit a license if Applicant committed a violation of Wis. Stat. § 441.07(1g).

3. By the conduct described in the Findings of Fact, Applicant violated Wis. Stat. §§ 441.07(1g)(b) and (c), and Wis. Admin. Code § 7.03(6)(f), by committing acts which show Applicant to be unfit or incompetent by reason of abuse of alcohol or other drugs; and Applicant is unable to practice safely by reason of alcohol or other substance abuse.

4. As a result of the above conduct, Applicant is subject to limitations on his license pursuant to Wis. Stat. §§ 441.07(1g)(b) and (c).

#### ORDER

1. The attached Stipulation is accepted.

2. Limitations upon Applicant's Registered Nurse credential are necessary to ensure that he is fit and competent to practice as a Registered Nurse.

3. Applicant's ability to practice as a Registered Nurse in the state of Wisconsin, and his privilege to practice pursuant to the Enhanced Nurse Licensure Compact (Compact), is LIMITED as follows:

A. For a period of at least two (2) years from the date of this Order:

- i. Applicant shall continue to be enrolled in and participate in a drug and alcohol monitoring program which is approved by the Department (Approved Program).
- ii. At the time Applicant enrolls in the Approved Program, Applicant shall review the rules and procedures made available by the Approved Program. Failure to comply with all requirements for participation in drug and alcohol monitoring established by the Approved Program is a substantial violation of this Order. The requirements shall include:

1. Contact with the Approved Program as directed on a daily basis, including vacations, weekends and holidays.
  2. Production of a urine, blood, sweat, fingernail, hair, saliva or other specimen at a collection site designated by the Approved Program within five (5) hours of notification of a test.
  3. The Approved Program shall require the testing of specimens at a frequency of not less than forty-nine (49) times per year, for at least the first year of this Order. Thereafter, the Board may adjust the frequency of testing on its own initiative at any time.
- iii. Applicant shall enter in and continue therapy by a therapist approved by Board or its designee, with quarterly reports to be submitted by the therapist to the Department Monitor.
  - iv. Applicant shall abstain from all personal use of alcohol.
  - v. Applicant shall abstain from all personal use of controlled substances as defined in Wis. Stat. § 961.01(4), except when prescribed, dispensed or administered by a practitioner for a legitimate medical condition. Applicant shall disclose Applicant's drug and alcohol history and the existence and nature of this Order to the practitioner prior to the practitioner ordering the controlled substance. Applicant shall at the time the controlled substance is ordered immediately sign a release in compliance with state and federal laws authorizing the practitioner to discuss Applicant's treatment with, and provide copies of treatment records to, the Board or its designee. Copies of these releases shall immediately be filed with the Department of Safety and Professional Services Monitor (Department Monitor).
  - vi. Applicant shall report to the Department Monitor all prescription medications and drugs taken by Applicant. Reports must be received within twenty-four (24) hours of ingestion or administration of the medication or drug, and shall identify the person or persons who prescribed, dispensed, administered or ordered said medications or drugs. Each time the prescription is filled or refilled, Applicant shall immediately arrange for the prescriber or pharmacy to fax and mail copies of all prescriptions to the Department Monitor.
  - vii. Applicant shall provide the Department Monitor with a list of over-the-counter medications and drugs that he may take from time to time. Over-the-counter medications and drugs that mask the consumption of controlled substances or of alcohol, create false positive screening results, or interfere with Applicant's treatment and rehabilitation, shall not be taken unless ordered by a physician, in which case the drug must be reported as described in the paragraph 4(a)v.

- viii. All positive test results are presumed valid and may result in automatic suspension of licensure by the Board or the Board's designee. Applicant must prove by a preponderance of the evidence an error in collection, testing, fault in the chain of custody or other valid defense.
- ix. If any urine, blood, sweat, fingernail, hair, saliva or other specimen is positive or suspected positive for any controlled substances or alcohol, Applicant shall promptly submit to additional tests or examinations as the Board or its designee shall determine to be appropriate to clarify or confirm the positive or suspected positive test results.
- x. Applicant shall provide Applicant's nursing employer with a copy of this Order before engaging in, or continuing to engage in, any nursing employment. Applicant 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.
- xi. Applicant **may not** work as a nurse or other health care provider in a setting in which Applicant has access to controlled substances. Applicant shall provide the Department Monitor with written acknowledgement from each nursing employer that Applicant does not have access to controlled substances. Such acknowledgment shall be provided to the Department Monitor with fourteen (14) days from the date of this Order for any current employer and on a quarterly basis thereafter from each nursing employer.
- xii. Applicant shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of change.
- xiii. Applicant shall commit no new violations of law and shall report all law enforcement contacts leading to arrest, charge or conviction, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within forty-eight (48) hours of any such event, including any convictions resulting from pending charges.

4. Applicant's ability to practice as a Registered Nurse in the state of Wisconsin, and his privilege to practice pursuant to the Enhanced Nurse Licensure Compact (Compact), is further LIMITED as follows:

- A. For a period of at least one (1) year from the date of this Order:

- i. Applicant shall continue therapy with a therapist (Treater) approved by the Board or its designee, with quarterly reports to be submitted by the therapist to the Department Monitor.

5. Applicant may petition the Board on an annual basis for modification of the terms of this Order, however no such petition for modification shall occur earlier than one (1) year from the date of Order 6566 (November 19, 2019). Any petition for modification shall be accompanied by a written recommendation from Applicant's Treater expressly supporting the specific modifications sought. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Applicant shall not have a right to request any further hearings or proceedings on the denial.

6. After two (2) consecutive years of successful compliance under this Order, together with compliance with Order 6566, including at least six hundred (600) hours of approved nursing practice each year, the Applicant may petition the Board for return of full licensure. The Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.

7. Pursuant to the Compact, Applicant may not practice in a Compact state, other than Wisconsin, while his license is encumbered by any limitation or restriction imposed by this order.

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](mailto:DSPSMonitoring@wisconsin.gov)

You may also submit this information online via DSPS Monitoring Case management System, here: <https://dpsmonitoring.wi.gov>

9. In the event Applicant violates any term of this Order, Applicant's license, or Applicant's right to renew his license, may, in the discretion of the Board or its designee, be **SUSPENDED**, without further notice or hearing. The Board or its designee may terminate the suspension if provided with sufficient information that Applicant is in compliance with the Order and that it is appropriate for the suspension to be terminated. Whether to terminate the suspension shall be wholly in the discretion of the Board or its designee. 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.

10. Applicant shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision, and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

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

WISCONSIN BOARD OF NURSING

By:

  
A Member of the Board

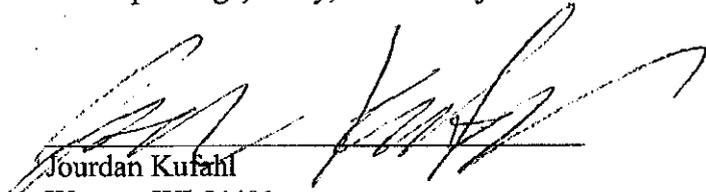
10/22/2020

Date



8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.

9. Applicant is informed that the Order Granting Limited License is an encumbrance as defined by the Enhanced Nurse Licensure Compact (Compact) and Applicant's multi-state license and/or privilege, if any, will be subject to all terms and conditions of the Compact.

  
\_\_\_\_\_  
Jourdan Kufahl  
Wausau WI 54401  
Application no. 719291

10/13/2020  
Date

  
\_\_\_\_\_  
A Member of the Board of Nursing  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

10/22/2020  
Date