

## 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  
REGISTERED NURSE CREDENTIAL

MITCHELL W. BABCOCK,  
APPLICANT.

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ORDER GRANTING  
LIMITED LICENSE

**ORDER 0007186**

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

Mitchell W. Babcock  
Cotton MN 55724

Wisconsin Board of Nursing  
Department of Safety and Professional Services  
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. On March 23, 2020, Mitchell W. Babcock (Applicant) filed an application (no. 717720) for a Wisconsin Registered Nurse credential.

2. Information received in the application process reflects that the Applicant has the following violations and/or convictions

- A. About May of 1998 – Driving While Impaired (DWI), a misdemeanor conviction in Minnesota.
  - i. Applicant stated he was fined, participated in Alcoholics Anonymous meetings for one (1) year, completed a chemical assessment, and his driver’s license was suspended.
- B. About June of 2016 – DWI, a misdemeanor conviction in Minnesota.
  - i. Applicant stated he was out drinking with friends and made the poor decision to drive home. Applicant went off the road and drove into a field. Applicant was placed on supervised probation for one (1) year, followed by five (5) years of informal probation through August 22, 2022. Applicant served 7 days jail with work release and

paid a fine. Applicant stated he also had an Ignition Interlock Device (IID) for 12 months, completed an Alcohol or Other Drug Abuse (AODA) assessment, and completed alcohol classes.

3. Information obtained in the application process reflects that Applicant disclosed diagnoses for mental health conditions. On or about April 9, 2020, Applicant entered into the Minnesota Health Professional Services Program (MN HPSP) which includes several terms and conditions for twenty-four (24) months.

4. 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. § 441.06 and is authorized to enter the attached Stipulation pursuant to Wis. Stat. §§ 15.08(5)(c) and 227.44(5).

2. Pursuant to Wis. Stat. §§ 441.07(1g)(b),(c), and (d), and Wis. Admin. Code § N 7.03(6)(g), an RN may be denied for unprofessional conduct or acts which show the nurse to be unfit or incompetent by reason of negligence, abuse of alcohol or other drugs, or mental incompetency.

#### 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 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 of Safety and Professional Services Monitor (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.

- ii. Applicant shall provide Department Monitor with copies of Applicant's quarterly submissions to MN HPSP. If a report indicates poor performance, the Board may institute additional limitations on Applicant's nursing license, in its discretion.
- iii. 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.
- iv. 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 may petition the board for full, unrestricted licensure at any time upon submission of proof satisfactory to the Board that Applicant has successfully completed all of the terms of his MN HPSP agreement and is no longer subject to any terms, conditions, or monitoring.

5. Applicant may also petition the Board for full, unrestricted licensure upon demonstration of continuous, successful compliance with the terms of the Order for at least two (2) years, including at least 600 hours of active nursing practice each year. "Practice in compliance" includes the submission of reports, the content of which are satisfactory to the Board.

6. 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.

7. 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>

8. 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.

9. 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.

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

WISCONSIN BOARD OF NURSING

By: Rosemary Dalatowski, LLC  
A Member of the Board

01/26/2021  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF APPLICATION FOR  
REGISTERED NURSE CREDENTIAL

MITCHELL W. BABCOCK,  
APPLICANT.

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STIPULATION

**ORDER 0007186**

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It is stipulated between Applicant and the Wisconsin Board of Nursing (Board) as follows:

1. Applicant filed an application for a Registered Nurse license.
2. Information received by the Board reflects a basis for denial of licensure.
3. Based upon the information of record, the Board agrees to issue, and Applicant agrees to accept, an Order granting a Registered Nurse license, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
  - the right to request a hearing related to the denial of the application;
  - the right to confront and cross-examine the witnesses against Applicant;
  - the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
  - the right to testify on Applicant'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 Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
5. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.
6. Applicant agrees to the adoption of the attached Order Granting Limited License by the Board. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, appearance, or consent of the parties.
7. Applicant waives all rights to any appeal of the Board's Order, as adopted in the form as attached.

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.



Mitchell W. Babcock  
Cotton MN 55724  
Application no. 717720

1-13-21  
Date

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

01/26/2021  
Date