

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
SHALONDA N. MYLES, R.N., A.P.N.P., :
RESPONDENT. : **ORDER 0007298**

Division of Legal Services and Compliance Case No. 18 NUR 660

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

Shalonda N. Myles, R.N., A.P.N.P.
Germantown, WI 53022

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 Shalonda N. Myles (formerly Booth), R.N., A.P.N.P., (DOB xx-xx-1976) is licensed in the state of Wisconsin as a registered nurse with multistate privileges pursuant to the Enhanced Nurse Licensure Compact (Compact), having license number 142072-30, first issued on August 2, 2002, and current through February 28, 2022. Respondent is also certified in the state of Wisconsin as an advanced practice nurse prescriber, having certificate number 9835-33, first issued on January 17, 2020, and current through September 30, 2022.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Germantown, Wisconsin 53022.

3. On January 26, 2012, the Board issued Order No. 1321 suspending Respondent's registered nurse license for four (4) months and ordering her to undergo education and provide quarterly work reports. The Order was based in part on Respondent's conviction in Dane County Circuit Court Case Number 2009CM001655 of three (3) counts of Theft-Business Setting <\$2500, a misdemeanor, in violation of Wis. Stat. § 943.20(1)(b), after Respondent filed false claims with the Wisconsin Medical Assistance program stating she had provided nursing services to a patient when she had not. The Board returned Respondent's license to full, unrestricted status on October 23, 2013.

4. At all times relevant to this proceeding, Respondent practiced as a registered nurse at a clinic she co-owned that provided prenatal care coordinator services in Glendale, Wisconsin (Clinic).

5. In 2018, the Wisconsin Department of Health Services, Office of the Inspector General (OIG), audited the Clinic. The OIG's audit determined that the Clinic received \$3,664.42 in Medicaid overpayments due to non-covered services and services not rendered.

6. Between July 7, 2017 and July 9, 2017, Respondent signed provider documents indicating care was provided to clients while during the same period posted on social media that she was out-of-state on vacation.

7. On August 23, 2017 and August 28, 2017, Respondent signed provider documents as Clinic program director and supervisor while during the same period posted on social media that she was out-of-state for a family member's medical procedure.

8. The Clinic closed in May 2018.

9. OIG sent notice of the overpayments to Respondent's former business partner at the Clinic's address in January 2019. Respondent maintains that she was not aware of any overpayments that were found as a result of OIG's 2018 audit.

10. Respondent does not admit to any wrongdoing. However, 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. Admin. Code § N 7.03(5)(a), which provides that falsifying or inappropriately altering reports, patient documentation, agency records, or other health documents are grounds for disciplinary action.

3. 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. Respondent's license to practice as a registered nurse (license number 142072-30), and her certificate to practice as an advanced practice nurse prescriber (certificate number 9835-33), in the state of Wisconsin are LIMITED as follows:
 - a. Within ninety (90) days of the date of this Order, Respondent shall at her own expense, successfully complete six (6) hours of education on the topic of professional ethics.
 - b. Respondent shall be responsible for obtaining the course(s) required under this Order, for providing adequate course descriptions to the Department Monitor, and for obtaining pre-approval of the course(s) from the Wisconsin Board of Nursing or its designee, prior to commencement of the course(s).
 - c. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Respondent. The monitoring liaison 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, and also may not be used in future attempts to upgrade a credential in Wisconsin.
 - f. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all the ordered education.
4. Pursuant to the Compact, Respondent may not practice in another Compact State, other than Wisconsin, while her license and certificate are encumbered by any term or restriction of this Order.
5. Within 120 days from the date of this Order, Respondent shall pay the COSTS of this matter in the amount of \$1,595.00.

6. Requests for course approval, 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
Department of Safety and Professional Services
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

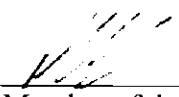
Respondent may also submit this information online at: <https://dspsmonitoring.wi.gov/>

7. In the event Respondent violates any term of this Order, Respondent's license to practice as a registered nurse (license number 142072-30), and her certificate to practice as an advanced practice nurse prescriber (certificate number 9835-33), or Respondent's right to renew her license and/or certificate, 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:



A Member of the Board

4/8/2021

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SHALONDA N. MYLES, R.N., A.P.N.P.,
RESPONDENT.

:
:
:
:
:
:

STIPULATION

ORDER 0007298

Division of Legal Services and Compliance Case No. 18 NUR 660

Respondent Shalonda N. Myles, R.N., A.P.N.P., 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. Respondent is represented by Attorney Kristen Nelson.

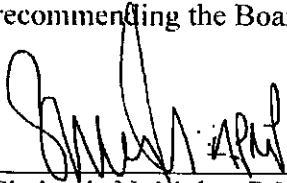
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives 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 or Respondent's attorney, 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.

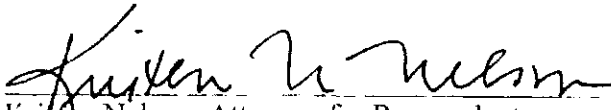
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Shalonda N. Myles, R.N., A.P.N.P, Respondent
Germantown, WI 53022
License No. 142072-30
Certificate No. 9835-33

3/11/21

Date



Kristen Nelson, Attorney for Respondent
Gimbel, Reilly, Guerin, Brown, LLP
330 E. Kilbourn Ave., Suite 1170
Milwaukee, WI 53202

3/11/21

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

3/11/2021

Date