

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### **Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions**

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### **Please read this agreement prior to viewing the Decision:**

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LYNDSY R. HUSER, R.N.,  
RESPONDENT.

:  
:  
:  
:  
:

FINAL DECISION AND ORDER

**ORDER 0007302**

---

Division of Legal Services and Compliance Case No. 20 NUR 398

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

Lyndsy R. Huser, R.N.  
McFarland, WI 53558

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 Lyndsy R. Huser, R.N., (Year of Birth 1981) is licensed in the state of Wisconsin as a registered nurse with multistate practice privileges pursuant to the Enhanced Nurse Licensure Compact (Compact), having license number 151203-30, first issued on September 15, 2005, and current through February 28, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in McFarland, Wisconsin 53558.

2. At all times relevant to this proceeding, Respondent was employed as Nursing Supervisor of the Health Services Unit (HSU) at a correctional facility in Wisconsin (Facility).

3. On July 20, 2018, the Facility placed Respondent on administrative leave after she submitted a fraternization exemption request to have contact with Inmate A, who was released from the Facility with extended supervision on April 10, 2018.

4. On July 24, 2018, the Facility interviewed Respondent regarding her relationship with Inmate A. Respondent said that while Inmate A was incarcerated, he had been in the HSU many times, he refused care with other nurses, and he was considered a patient in her care.

5. Respondent admitted she and Inmate A were more than friends and had “been together.”

6. Respondent denied having sexual contact with Inmate A while he was incarcerated. She said the relationship started “a week or so after he got out.”

7. According to the Facility’s investigation, Respondent called Inmate A from her office at the Facility 81 times between April 12, 2018 and July 19, 2018.

8. Respondent represented on her fraternization exemption request that she and Inmate A “go to the same church and have weekly contact at church.” However, Respondent later said they only saw each other at church once.

9. The Facility accepted Respondent’s resignation on September 28, 2018. She maintains she no longer has any contact with Inmate A.

10. 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(4)(e)1.a., by failing to establish, maintain, or communicate professional boundaries with the patient.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(4)(e)1.b., by engaging in relationships with patients that could impair the nurse’s professional judgment.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(4)(f)1.e., by engaging or attempting to engage in sexual or seductive conduct with a former patient if doing so creates a risk that the relationship could cause harm to or exploitation of the former patient.

5. 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. The registered nursing license issued to Respondent (license number 151203-30) is **SUSPENDED** for two (2) weeks from the date of this Order.
3. The registered nursing license issued to Respondent (license number 151203-30), and her privilege to practice in Wisconsin pursuant to the Compact, 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 professional boundaries.
  - 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 Board of Nursing, or its designee, prior to commencement of the courses.
  - 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 the ordered education.
4. Pursuant to the Compact, Respondent may not practice in another Compact State, other than Wisconsin, while her license is 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 \$500.00.

6. Request for approval of courses, any documentation required under this Order, 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 (no. 151203-30), 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.

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

LYNDSY R. HUSER, R.N.,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

**ORDER 0007302**

---

Division of Legal Services and Compliance Case No. 20 NUR 398

Respondent Lyndsy R. Huser, 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. 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.

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.

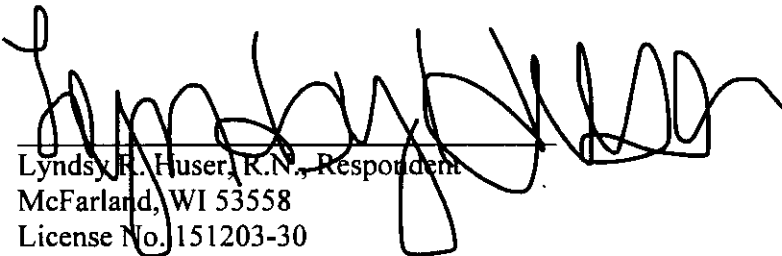
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division


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.

  
Lyndsy R. Huser, R.N., Respondent  
McFarland, WI 53558  
License No. 151203-30

  
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

3/29/2021  
Date