

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE NURSING HOME ADMINISTRATORS EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TIMOTHY C. DIETZEN, N.H.A.,
RESPONDENT.

INTERIM ORDER

ORDER 0007305

Division of Legal Services and Compliance Case No. 18 NHA 032

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

Timothy C. Dietzen, N.H.A.
Waupaca, WI 54981

Wisconsin Nursing Home Administrators Examining Board
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 an Interim Order in this matter, subject to the approval of the Wisconsin Nursing Home Administrators Examining Board (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 Timothy C. Dietzen, N.H.A., (DOB XX-XX-1962) is licensed in the state of Wisconsin as a nursing home administrator, having license number 2990-65, first issued on May 29, 1998, and current through June 30, 2020.¹ Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Waupaca, Wisconsin 54981.

¹ Respondent has also been licensed in the state of Wisconsin as practical nurse, having license number 27098-31, first issued on June 6, 1984, and was scheduled to expire on April 30, 2019. On September 17, 2019, the Wisconsin Board of Nursing denied renewal of Respondent's practical nurse license based on the convictions as set forth in paragraph 3.

2. At all times relevant to this proceeding, Respondent was employed as a nursing home administrator at a facility (Facility) located in Weyauwega, Wisconsin.

3. On August 14, 2019, Respondent was convicted by a jury in Outagamie County Circuit Court case number 2018CF000737 of three (3) counts of Incest with Child, a class C Felony, in violation of Wis. Stat. § 948.06(1).

4. The convictions were based on allegations that Respondent had sexually assaulted three (3) of his adopted sons with special needs between 2013 – 2017, when they were minors.

5. Respondent has appealed the aforementioned convictions and that appeal is pending as of the date of this Order.

6. There has been no final determination by the Board on this matter.

7. Respondent denies that he is guilty of the conduct underlying the convictions, but agrees not to engage in the practice of nursing home administration pending the final resolution of the criminal proceedings and this matter.

CONCLUSIONS OF LAW

1. The Wisconsin Nursing Home Administrator Examining Board (Board) has jurisdiction to act in this matter pursuant to Wis. Stat. § 456.10 and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. The license and privilege of Timothy C. Dietzen, N.H.A., (license no. 2990-65) to practice nursing home administration in the state of Wisconsin is hereby SUSPENDED during the pendency of this disciplinary matter.

3. The suspension shall continue until the Board issues a Final Decision and Order in this disciplinary matter.


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

WISCONSIN NURSING HOME ADMINISTRATORS EXAMINING BOARD


By: Al. Rohmeyer **DSPS Chief Legal Counsel,** 4-13-21
A Member of the Board **Delegatee** Date

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Interim Order is a public record and will be published in accordance with standard Department procedure.

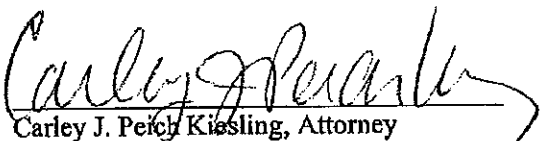
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Interim Order.


Timothy C. Dietzen, N.H.A., Respondent
Waupaca, WI 54981
License no. 2990-65

2-26-2020
Date


Jerome F. Buting, Attorney for Respondent
Buting, Williams & Stilling, S.C.
400 N. Executive Dr., Suite 205
Brookfield, WI 53005-6029

2-14-2020
Date


Carley J. Peich Kiesling, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison WI 53707-7190

3/4/2020
Date

