

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

ERIN M. KUNZ, R.N.,
RESPONDENT.

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INTERIM ORDER

ORDER 0007372

Division of Legal Services and Compliance Case No. 20 NUR 604

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

Erin M. Kunz, R.N.
Milwaukee, WI 53223

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 agree to the terms and conditions of the attached Stipulation as an Interim Order in this matter, subject to the approval of the 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, Conclusion of Law, and Order.

FINDINGS OF FACT

1. Respondent Erin M. Kunz, R.N., (Year of Birth 1982) is licensed in the state of Wisconsin to practice as a registered nurse with multistate privileges pursuant to the Enhanced Nurse Licensure Compact, having license number 157175-30, first issued on February 5, 2007 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 Milwaukee, Wisconsin 53223.

2. On August 13, 2020, the Board issued Order No. 6930 reprimanding Respondent and ordering her to complete five hours of education for suspected diversion and documentation discrepancies. On February 3, 2021, the Board restored Respondent's license to full, unrestricted status.

3. At all times relevant to this proceeding, Respondent was employed as a registered nurse for a home hospice facility in Brookfield, Wisconsin (Facility).

4. On December 16, 2020, the Department's Division of Legal Services and Compliance received a complaint alleging that Respondent was diverting opioid medication from Facility Patient A.

5. The complaint alleged that during 2020, Respondent ordered over 7000 tablets of oxycodone for Patient A and coordinated with the pharmacy that deliveries be made directly to her outside of Patient A's home, sometimes on days when she did not have a scheduled visit with Patient A.

6. The complaint alleged that Respondent falsified Patient A's medical records to reflect that Patient A was taking oxycodone when Patient A did not take controlled substances for pain.

7. On March 25, 2021, Respondent was charged with Obtain Controlled Substance by Fraud, a felony, in violation of Wis. Stat. § 961.43(1)(a), and Theft-Moveable Property >=\$2500-\$5000, a felony, in violation of Wis. Stat. § 943.20(1)(a), in Milwaukee County Circuit Court Case No. 2021CF001121. That case is pending.

8. The Board has not made a determination as to the validity of the above allegations.

9. Respondent has voluntarily agreed not to practice as a registered nurse in the state of Wisconsin, or in any other state pursuant to her Compact privileges, pending the investigation and final resolution of this disciplinary matter.

CONCLUSION OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07 and has authority to enter into this stipulation for an Interim Order pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Respondent's license to practice as a registered nurse in the state of Wisconsin (license no. 157175-30) is **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.

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

WISCONSIN BOARD OF NURSING

By: 
A Member of the Board

13 May 2021
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ERIN M. KUNZ, R.N.,
RESPONDENT.

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STIPULATION
FOR INTERIM ORDER

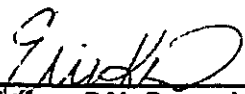
ORDER 0007372

Division of Legal Services and Compliance Case No. 20 NUR 604

Respondent Erin M. Kunz, 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 in the course of a pending investigation by the Division of Legal Services and Compliance (Division).
2. Respondent is aware of her right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Jamie J. Pagac.
3. Respondent neither admits nor denies the allegations in this matter but agrees to the adoption of the attached Interim Order by the Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Interim Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's Interim Order, if adopted in the form as attached.
4. 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 be returned to the Division for further proceedings. In the event this 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 the Interim Order.
5. The parties to this Stipulation agree that the attorney or other agent for the Division and any member of the Board ever assigned as a case advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, if any, for purposes of speaking in support of this Interim Order and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such case advisor may vote on whether the Board should accept this Stipulation and issue the attached Interim Order.
6. 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.

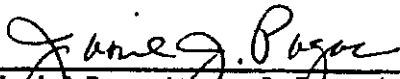
7. The Division joins Respondent in recommending that the Board adopt this Stipulation and issue the attached Interim Order.



Erin M. Kunz, R.N., Respondent
Milwaukee, WI 53223
License No. 157175-30

5-4-21


Date



Jamie J. Pagac, Attorney for Respondent
Kim & LaVoy, S.C.
2360 N. 124th St., Suite 200
Wauwatosa, WI 53226

5-4-21

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

5/5/2021

Date