

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
DENISE A. DENTON, R.N., :
RESPONDENT. :

ORDER 0007677

Division of Legal Services and Compliance Case No. 19 NUR 663

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

Denise A. Denton, R.N.
West Allis, WI 53219

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 Denise A. Denton, R.N., (Year of Birth 1957) is licensed in the state of Wisconsin as a registered nurse, having license number 111091-30, first issued on September 11, 1992, 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 West Allis, Wisconsin 53219.

2. On January 27, 2011, the Board issued an Order which suspended Respondent's license for an indefinite period and imposed practice limitations which required Respondent to seek treatment for opiate addiction, complete an AODA assessment and treatment, attend Narcotics Anonymous (NA) and/or Alcoholics Anonymous (AA), participate in a drug and

alcohol monitoring program, and submit quarterly work reports to the Department Monitor (Order No. 000629).

3. On January 19, 2012, the Board granted a stay of the suspension and Respondent was allowed to practice so long as she complied with all the terms and conditions of Order No. 000629.

4. On March 18, 2016, Respondent's license was returned to full, unrestricted status.

5. On June 25, 2018, Respondent was hired to work as a registered nurse at a facility located in Milwaukee, Wisconsin (Facility).

6. On August 9, 2018, Respondent received a verbal warning from the Facility for issuing medication refills to patients without requiring a clinic appointment, which was contrary to provider instructions.

7. On September 5, 2018, Respondent received a final written warning from the Facility for failing to follow provider instructions regarding medication refills.

8. On October 30, 2019, the Department received an anonymous complaint alleging that Respondent reported to work at the Facility while impaired, exhibited erratic behavior, and asked coworkers for Xanax.

9. On November 8, 2019, Respondent resigned from the Facility.

10. Respondent denies that she asked coworkers for Xanax or reported to work while impaired. Respondent has represented to the Department that any work problems were due to personal issues and stressors.

11. 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(6)(c), by departing from or failing to conform to the minimal standards of acceptable nursing practice that may create unnecessary risk or danger to a patient's life, health, or safety.

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. The registered nursing license issued to Denise A. Denton, R.N., (license number 111091-30), and her privilege to practice as a nurse in the state of Wisconsin under the authority of another state's license pursuant to the Enhanced Nurse Licensure Compact, are LIMITED as follows:

FITNESS TO PRACTICE

A1. Within sixty (60) days of the date of this Order, Respondent shall, at her own expense, undergo a fitness for practice evaluation with a pre-approved psychiatrist or psychologist (Evaluator) who has not provided treatment to Respondent and is experienced in evaluating whether a health care professional is fit to practice:

- a. Prior to evaluation, Respondent shall provide a copy of this Final Decision and Order to the Evaluator.
- b. Respondent shall identify and provide the Evaluator with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated.
- c. Within fifteen (15) days of the completion of the evaluation, a written report regarding the results of the assessment shall be submitted to the Department Monitor at the address below. The report shall address whether Respondent suffers from any condition(s) that may interfere with her ability to practice safely and competently and, if so, shall provide any recommended limitations for safe and competent practice.
- d. Respondent shall execute necessary documents authorizing the Division to obtain records of the evaluation, and to discuss Respondent and her case with the Evaluator. Respondent shall execute all releases necessary to permit disclosure of the final evaluation report to the Board or its designee. Certified copies of the final evaluation report shall be admissible in any future proceeding before the Board.
- e. If the Evaluator determines that Respondent is not fit to practice or is fit for practice with limitations, the Board or its designee may suspend Respondent's license until Respondent provides proof sufficient to convince the Board or its designee that Respondent is able to practice with reasonable skill and safety of patients and the public and does not suffer from any condition which prevents Respondent from practicing in that manner.
- f. If the Evaluator determines that Respondent is fit to practice or is fit to practice with limitations, the Board or its designee may limit Respondent's license in a manner to address any concerns the Board or its designee has as a result of the conduct set out in the Findings of Fact and to address any recommendations resulting from the evaluation, including, but not limited to:

- i. Psychotherapy, at Respondent's expense, by a therapist approved by the Board or its designee, to address specific treatment goals, with quarterly reports to the Board by the therapist.
 - ii. Additional professional education in any identified areas of deficiency.
 - iii. Restrictions on the nature of practice, practice setting, or requirements for supervision of practice by a professional approved by the Board, with periodic reports to the Board by the supervisor.
 - g. Respondent is responsible for ensuring that the results of the evaluation are sent to the Department Monitor at the address listed in this Order.
3. Within 120 days from the date of this Order, Denise A. Denton, R.N., shall pay COSTS of this matter in the amount of \$954.00.
4. Results of the fitness for practice evaluation 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
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

Respondent may also submit this information online here:
<https://dpsmonitoring.wi.gov/>

5. In the event Respondent violates any term of this Order, Respondent's license (111091-30), 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.

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

WISCONSIN BOARD OF NURSING

By: 
A Member of the Board

11/11/2021
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DENISE A. DENTON, R.N.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0007677

Division of Legal Services and Compliance Case No. 19 NUR 663

Denise A. Denton, R.N. (Respondent) and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

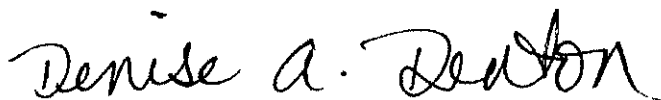
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives 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 Patrick J. Knight.
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.

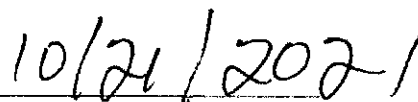
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's 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.

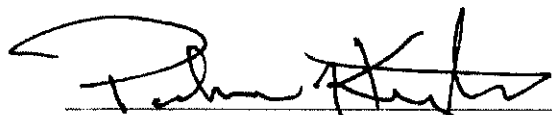
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.

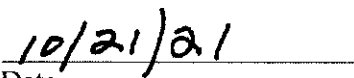


Denise A. Denton, R.N., Respondent
West Allis, WI 53219
License No. 111091-31


Date



Patrick J. Knight, Attorney for Respondent
Gimbel Reilly Guerin Brown, LLP
330 East Kilbourn Ave., Ste 1170
Milwaukee, WI 53202


Date



Colleen L. Meloy, Prosecuting Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

10/22/21
Date