

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

THOMAS S. SURA, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0007183**

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Division of Legal Services and Compliance Case Nos. 20 NUR 545 and 21 NUR 336

The parties to these actions for the purpose of Wis. Stat. § 227.53 are:

Thomas S. Sura, R.N.  
Racine, WI 53402

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 these matters agree to the terms and conditions of the attached Stipulation as the final disposition of these matters, subject to the approval of the Board of Nursing (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in these matters adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Thomas S. Sura, R.N. (Year of Birth 1964), 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 105569-30, first issued on September 9, 1990, 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 Racine, Wisconsin 53402.

20 NUR 545

2. On October 28, 2020, the Department received a complaint alleging Respondent made an inappropriate comment while providing care to a patient.<sup>1</sup>
3. On November 13, 2020, the Department, on behalf of the Board, emailed Respondent at his email address on file with the Department requesting that he provide a response to the complaint no later than November 20, 2020.
4. On November 23, 2020, the Department emailed Respondent again at his email address on file with the Department requesting that he provide a response to the complaint no later than December 1, 2020.
5. On December 2, 2020, the Department sent a letter by U.S. mail to Respondent's mailing address on file with the Department requesting that he provide a response to the complaint no later than December 9, 2020.
6. On March 31, 2021, the Department sent a letter by certified mail to Respondent's mailing address on file with the Department requesting that he provide a response to the complaint no later than April 14, 2021.
7. On April 13, 2021, the Department received the certified mail receipt showing that the Department's March 31, 2021, letter was delivered and signed for by "Janet Sura" on April 9, 2021.
8. On April 16, 2021, a Department investigator called Respondent's telephone number on file with the Department. A voicemail recording identified Respondent by name and the investigator left a message requesting a response.
9. On May 14, 2021, the Department emailed Respondent at his email address on file with the Department requesting that he provide a response to the complaint no later than May 21, 2021.
10. On June 10, 2021, the Department emailed Respondent again at his email address on file with the Department requesting that he provide a response to the complaint no later than June 25, 2021.
11. Respondent has not responded to any of the Department's requests for a response to the complaint in case number 20 NUR 545.

21 NUR 336

12. On May 21, 2021, the Department received a complaint alleging Respondent was rude while providing care to a patient.<sup>2</sup>

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<sup>1</sup> The assigned attorney and case advisor found that the underlying allegations did not warrant disciplinary action.

<sup>2</sup> *Id.*

13. On May 24, 2021, the Department, on behalf of the Board, emailed Respondent at his email address on file with the Department requesting that he provide a response to the complaint no later than May 31, 2021.

14. On June 1, 2021, the Department emailed Respondent again at his email address on file with the Department requesting that he provide a response to the complaint no later than June 8, 2021.

15. On June 9, 2021, the Department sent a letter by U.S. mail to Respondent's mailing address on file with the Department requesting that he provide a response to the complaint no later than June 16, 2021.

16. On June 30, 2021, the Department sent a letter by certified mail to Respondent's mailing address on file with the Department requesting that he provide a response to the complaint no later than July 14, 2021.

17. On July 8, 2021, the Department received the certified mail receipt showing that the Department's June 30, 2021, letter was delivered and signed for by "Sura" on July 1, 2021.

18. On July 16, 2021, a Department investigator called Respondent's telephone number on file with the Department. A voicemail recording identified Respondent by name and the investigator left a message requesting a response.

19. Respondent has not responded to any of the Department's requests for a response to the complaint in case number 21 NUR 336.

20. In resolution of these matters, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in these matters 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 failed to cooperate in a timely manner with the Board's investigations of two complaints filed against a license holder, which constitutes grounds for taking disciplinary action against Respondent within the meaning of Wis. Admin. Code § N 7.03(1)(c).

3. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d), and Wis. Admin. Code Ch. N 7.

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. Within 90 days from the date of this Order, Respondent shall pay COSTS of these matters in the amount of \$1,070.00.

4. Payments of costs (made payable to Department of Safety and Professional Services) shall be submitted to:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

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

5. In the event Respondent violates any term of this Order, Respondent's license (number 105569-30), or Respondent's right to renew his 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: *Gregory P. Jalotauskis*  
A Member of the Board of Nursing

11/11/2021  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

THOMAS S. SURA, R.N.,  
RESPONDENT.

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STIPULATION

**ORDER 0007183**

Division of Legal Services and Compliance Case Nos. 20 NUR 545 and 21 NUR 336

Respondent Thomas S. Sura, 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 two pending investigations by the Division of Legal Services and Compliance. Respondent consents to the resolution of these investigations 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.

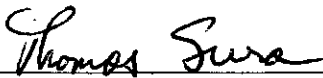
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matters shall then be returned to the Division

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 these investigations may appear before the Board in open or closed session, without the presence of Respondent, 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.

  
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Thomas S. Sura, R.N., Respondent  
Racine, WI 53402  
License No. 105569-30

10-25-21  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Joost Kap, Prosecuting Attorney  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

October 26, 2021  
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Date