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Before the
State Of Wisconsin
Board of Nursing

In the Matter of the Disciplinary Proceedings
Against Allison G. Krawza, Respondent.

FINAL DECISION AND ORDER

Order No. **ORDER 0007710**

Division of Legal Services and Compliance Case No. 21 NUR 189


The State of Wisconsin, Board of Nursing, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, make the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Board of Nursing.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated at Madison, Wisconsin on the 3rd day of December, 2021.



Member

Board of Nursing

**DSPS Chief Legal Counsel,
Delegates**



Before The
State of Wisconsin
DIVISION OF HEARINGS AND APPEALS

In the Matter of Disciplinary Proceedings
Against Allison G. Krawza, R.N., Respondent

DHA Case No. SPS-21-0063
DLSC Case No. 21 NUR 189

PROPOSED DECISION AND ORDER

The parties to this proceeding for purposes of Wis. Stat. §§ 227.47(1) and 227.53 are:

Allison G. Krawza, R.N.

Waconia, MN 55387

Wisconsin Board of Nursing
P.O. Box 8366
Madison, WI 53708-8366

Department of Safety and Professional Services,
Division of Legal Services and Compliance, by:

Attorney Julie Zimmer
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

PROCEDURAL HISTORY

On August 4, 2021, the Department of Safety and Professional Services, Division of Legal Services and Compliance (Department), filed a formal complaint against Respondent Allison G. Krawza, R.N., alleging the following grounds for taking disciplinary action against her: (1) having a license to practice nursing or a nurse licensure compact privilege to practice denied, revoked, suspended, limited, or having the credential holder otherwise disciplined in another state, territory, or country, pursuant to Wis. Admin. Code § N 7.03(1)(b); (2) failing to cooperate in a timely manner with a Board of Nursing (Board) investigation of a complaint filed against her, pursuant to Wis. Admin. Code § N 7.03(1)(c); and, (3) being unable to practice safely by reason of alcohol or other substance abuse, pursuant to Wis. Admin. Code § 7.03(6)(f).

Administrative Law Judge Kristin Fredrick (ALJ) was assigned to the matter. After the expiration of the 20-day time period to file an Answer, the ALJ scheduled a telephone prehearing

conference for September 7, 2021, at 10:00 a.m. The ALJ was unable to reach the Respondent for the prehearing conference and the Department moved for default based on Respondent's failure to file an Answer to the Complaint, failure to appear at the prehearing telephone conference, and failure to respond to the ALJ's request for contact, pursuant to Wis. Admin. Code §§ SPS 2.14 and HA 1.07(3)(c).

On September 8, 2021, the ALJ issued a Notice of Default against Respondent and ordered the Department to file a recommended Proposed Decision and Order by October 7, 2021. The Department timely filed its recommended Proposed Decision and Order.

FINDINGS OF FACT

Facts as Alleged in the Complaint

1. Respondent Allison G. Krawza, R.N., is licensed in the state of Wisconsin as a registered nurse, having license number 235987-30, first issued on June 20, 2017, and current through February 28, 2022.

2. Respondent's last known address on file with the Department is Waconia, Minnesota 55387.

3. On February 26, 2021, the Department received a report from the National Council of State Boards of Nursing that Respondent had voluntarily surrendered her Minnesota nursing licenses¹ on February 4, 2021.

4. On February 4, 2021, the Minnesota Board of Nursing issued a Stipulation and Consent Order (MN Order) accepting Respondent's voluntary surrender of her licenses to practice professional and practical nursing in Minnesota.²

5. The following facts were agreed to by Respondent and included in the MN Order:

- a. The Minnesota Board of Nursing referred Respondent for monitoring with the Health Professional Services Program (HPSP) due to her issues with impairment from alcohol.
- b. Respondent met with a Minnesota Board Review Panel in January 2018 due to her non-compliance with and previous withdrawal from the HPSP.
- c. On March 20, 2018, Respondent informed the HPSP that she relapsed on February 25, 2018, and admitted herself into a detoxification center on March 12, 2018.

¹ Respondent was licensed in Minnesota as a registered nurse (license number 1854556) and a licensed practical nurse (license number 594150).

² A copy of the MN Order was attached to the Complaint as Division Exhibit 1 and is incorporated herein by reference to same as "MN Order".

- d. On April 2, 2018, Respondent entered into a 36-month Participation Agreement with the HPSP.
- e. On March 18, 2020, Respondent met with a Minnesota Board Review Panel due to four dilute and/or late toxicology screens between July 2018 and May 2019. On December 17, 2019, Respondent submitted a toxicology screen that was dilute and tested positive for alcohol. Respondent denied relapsing but admitted using Nyquil containing alcohol while she was ill, which violated her Participation Agreement.
- f. On June 4, 2020, the Minnesota Board of Nursing issued an Order suspending Respondent's Minnesota licenses but staying the suspension on the condition that she comply with her HPSP Participation Agreement (June Order). The basis of the June Order was Respondent's substance use disorder, mental health diagnosis, and non-compliance with the HPSP.³
- g. From April to October 2020, Respondent missed nine toxicology screens.
- h. On July 3, 2020, Respondent relapsed with alcohol after two and half years of sobriety. Respondent had a diagnosis of alcohol use disorder, severe.
- i. On October 12, 2020, the HPSP unsatisfactorily discharged Respondent for voluntarily withdrawing from the program. Respondent informed the HPSP that she did not want to continue with the nursing profession and left her job in early October 2020.

6. The MN Order rescinded an earlier June Order staying a suspension of the Respondent's license. The MN Order allowed the Respondent to voluntarily surrender her professional and practical nursing licenses. The MN Order further allows Respondent to petition to reinstate her Minnesota nursing licenses after 12 months from the date of the MN Order, and after 12 months of "documented uninterrupted sobriety and stable mental health."

7. On April 23, 2021, a Department investigator, on behalf of the Wisconsin Board of Nursing, emailed Respondent at her email address on file, allison.k@comcast.net, requesting her response to an inquiry regarding the MN Order.

8. On May 10, 2021, a Department investigator, on behalf of the Wisconsin Board of Nursing, mailed a letter requesting a response to the MN Order to Respondent at the following address: 712 Vista Blvd., Waconia, MN 55387. The investigator also emailed the letter to Respondent at her email address on file, allison.k@comcast.net.

9. On May 25, 2021, a Department investigator, on behalf of the Wisconsin Board of Nursing, called Respondent at her telephone number on file and left a voicemail message.

³ A copy of the June Order is attached to the MN Order as part of Division Exhibit 1.

10. On May 25, 2021, a Department investigator mailed a letter via certified mail to Respondent at her mailing address on file requesting a response to the MN Order. According to the certified mail receipt returned by the U.S. Postal Service, the letter was signed for and delivered on May 27, 2021.

11. On June 9, 2021, a Department investigator, on behalf of the Wisconsin Board of Nursing, called Respondent at her telephone number on file and left a voicemail message.

12. To date, Respondent has failed to respond to the Department's numerous contacts and requests.

Facts Related to Default

13. On August 4, 2021, the Department served the Notice of Hearing and Complaint on Respondent at her last known address on file with the Department by both certified and regular first-class mail, pursuant to Wis. Admin. Code § SPS 2.08 and Wis. Stat. § 440.11(2). (Affidavit of Service ¶ 3(a) and (b)).

14. Respondent was required to file an Answer within twenty days from the date of service of the Complaint, pursuant to Wis. Admin. Code § SPS 2.09(4). Respondent failed to file an Answer to the Complaint.

15. After the expiration of the 20-day time period to file an Answer, the ALJ scheduled a telephone prehearing conference for September 7, 2021, at 10:00 a.m. The ALJ sent notice of the conference to Respondent with instructions to contact the ALJ no later than September 6, 2021, to provide her current telephone number. The notice also stated that if Respondent failed to appear at the scheduled conference, default judgment may be entered against her.

16. Respondent failed to contact the ALJ by September 6, 2021, with her current telephone number.

17. Respondent failed to appear at the prehearing conference on September 7, 2021. The Department provided the ALJ with Respondent's telephone number it had on file. The ALJ called Respondent at that number and left a voicemail message for Respondent asking her to return the call. When no return call was received, the ALJ called Respondent again, but Respondent did not answer. The ALJ also emailed Respondent at her email address on file advising that her failure to contact the ALJ may result in default judgment being entered against her. Respondent did not respond or attempt to call the ALJ.

18. On September 7, 2021, the Department moved for default based on Respondent's failure to file an Answer to the Complaint, failure to appear at the prehearing telephone conference, and failure to respond to the ALJ's request for contact, pursuant to Wis. Admin. Code §§ SPS 2.14 and HA 1.07(3)(c).

19. On September 8, 2021, the ALJ issued a Notice of Default against Respondent and ordered the Department to file a recommended Proposed Decision and Order by October 7, 2021.

According to the Notice, “[i]n light of Respondent’s failure to file an Answer to the Complaint and failure to appear for the prehearing conference, the ALJ finds Respondent to be in default.”

20. The Department timely filed its recommended Proposed Decision and Order.

DISCUSSION AND CONCLUSIONS OF LAW

Jurisdictional Authority

Pursuant to Wis. Admin. Code § SPS 2.10(2), the undersigned ALJ has authority to preside over this disciplinary proceeding in accordance with Wis. Stat. § 227.46(1). The Board has the authority to impose discipline against the Respondent pursuant to Wis. Stat. § 441.07(1g).

Default

The Department properly served the Notice of Hearing and Complaint upon Respondent by mailing copies to her at her last known address by both regular and certified mail. Wis. Stat. § 440.11(2). Service by mail is complete upon mailing. Wis. Admin. Code § SPS 2.08(1).

An answer to a complaint shall be filed within 20 days from the date of service of the complaint. Wis. Admin. Code § 2.09(4). If a Respondent “fails to answer as required by s. SPS 2.09 or fails to appear at the hearing at the time fixed therefor, the respondent is in default and the disciplinary authority may make findings and enter an order on the basis of the complaint and other evidence.” Wis. Admin. Code § SPS 2.14. Allegations in a complaint are deemed admitted when not denied. Wis. Admin. Code § SPS 2.09(3).

For a telephone prehearing, the administrative law judge may find a failure to appear grounds for default if any of the following conditions exist for more than ten minutes after the scheduled time for prehearing conference: (1) the failure to provide a telephone number to the ALJ after it had been requested; (2) the failure to answer the telephone; (3) the failure to free the line for the proceeding; and (4) the failure to be ready to proceed with the prehearing conference as scheduled. Wis. Admin. Code § HA 1.07(3)(c).

In the present matter, the Respondent failed to file an Answer to the Complaint within 20 days from the date of service, failed to appear at the prehearing telephone conference on September 7, 2021, failed to provide a telephone number to the ALJ after it had been requested, failed to answer the telephone when the ALJ called, and failed to be ready to proceed with the prehearing conference as scheduled. Accordingly, because the Respondent is in default, findings can be made, and an order may be entered against Respondent on the basis of the Complaint and other evidence. *See* Wis. Admin. Code § SPS 2.14; Wis. Admin. Code § HA 1.07(3).

Violations

The Board may take disciplinary action against a licensee, including to revoke, limit, or suspend a nursing license under Wis. Stat. 441.07(1g), if it determines that a nurse has committed any of the following violations:

...

- (b) One or more violations of this subchapter or any rule adopted by the board under the authority of this subchapter.
- (c) Acts which show the registered nurse, nurse-midwife or licensed practical nurse to be unfit or incompetent by reason of negligence, abuse of alcohol or other drugs or mental incompetency.
- (d) Misconduct or unprofessional conduct...

...

Likewise, the Department or Board may also reprimand, deny, limit, suspend or revoke a credential "if the credential holder fails to respond, to the satisfaction of the department, credentialing board, or other board in the department, within 30 days to a request for information...in connection with an investigation of alleged misconduct of the credentialed holder." Wis. Stat. §440.20(5)(a).

Wisconsin Administrative Code § N 7.03 sets forth the Department's rules for when a nurse may be disciplined, including the following grounds:

- (1) Noncompliance with federal, jurisdictional, or reporting requirements including any of the following:

...

(b) Having a license to practice nursing or a nurse licensure compact privilege to practice denied, revoked, suspended, limited, or having the credential holder otherwise disciplined in another state, territory, or country. A certified copy of the record of the board is conclusive evidence of the final action.

(c) After a request of the board, failing to cooperate in a timely manner, with the board's investigation of a complaint filed against a license holder. There is a rebuttable presumption that a credential holder who takes longer than 30 days to respond to a request of the board has failed to cooperate in a timely manner.

...

- (6) Unsafe practice or substandard care, including any of the following:

...

(f) Unable to practice safely by reason of alcohol or other substance use.

The undisputed facts establish that the Respondent violated Wis. Stat. § 441.07(1g)(b)-(d) and Wis. Admin. Code § N 7.03(1)(b) as a result of having been disciplined in Minnesota. Certified

copies of the Stipulations and Consent Orders issued by the Minnesota Board of Nursing in June 2020 and February 2021 (hereinafter the "MN Orders") were attached to the Division's Complaint against the Respondent in this matter. Pursuant to those MN Orders, the Minnesota Board of Nursing referred Respondent to a monitoring program (HPSP) due to her issues with alcohol impairment. Respondent was non-compliant with HPSP, suffered relapses, and failed a toxicology screen. On June 4, 2020, the Minnesota Board suspended Respondent's nursing licenses but stayed the suspension on the condition that she comply with her agreement with HPSP. Respondent continued to miss toxicology screens and, on July 3, 2020, relapsed again. She was diagnosed with a severe alcohol use disorder and was unsatisfactorily discharged from HPSP after she withdrew and said she no longer wanted to practice nursing. The Minnesota Board accepted Respondent's voluntary surrender of her nursing licenses on February 4, 2021.

Similarly, the undisputed facts establish that the Respondent violated Wis. Stat. §§ 440.20(5)(a) and 441.07(1g)(b), as well as, Wis. Admin. Code § N 7.03(1)(c) by failing to cooperate in a timely manner with the Board's investigation of a complaint filed against her. On April 23, 2021, a Department investigator, on behalf of the Wisconsin Board of Nursing, emailed Respondent at her email address on file requesting her response to the MN Order. On May 10, 2021, the investigator mailed and emailed a letter to Respondent again requesting her response. On May 25, 2021, the investigator called Respondent at her telephone number on file and left a voicemail message and also mailed a certified letter to Respondent at her mailing address on file with the Department, which was signed for and delivered on May 27, 2021, requesting her response to the MN Order. On June 9, 2021, the investigator called Respondent at her telephone number on file and left another voicemail message. Respondent failed to respond to any of the Department's requests for her response to the MN Order on behalf of the Board.

Finally, the undisputed facts demonstrate that the Respondent violated Wis. Stat. § 441.07(1g)(b)-(d) and Wis. Admin. Code § N 7.03(6)(f) by being unable to practice safely by reason of alcohol use. The Minnesota Board of Nursing referred Respondent to HPSP due to her history of alcohol impairment. Respondent was non-compliant with HPSP and relapsed on February 25, 2018. After Respondent's attempts at detoxification, she entered into an agreement with HPSP on April 2, 2018. However, between July 2018 and May 2019, Respondent had four dilute and/or late toxicology screens, and screened positive for alcohol on December 17, 2019, violating her agreement with HPSP. Between April to October 2020, Respondent missed nine toxicology screens, and on October 12, 2020, she was unsatisfactorily discharged from HPSP. Respondent was diagnosed with severe alcohol use disorder and has voluntarily surrendered her Minnesota nursing licenses.

As a result of the above violations, the Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b)-(d).

Discipline

The three purposes of discipline in a professional misconduct case are: (1) to promote the rehabilitation of the credential holder; (2) to protect the public from other instances of misconduct; and (3) to deter other credential holders from engaging in similar conduct. *State v. Aldrich*, 71 Wis. 2d 206, 209, 237 N.W.2d 689 (1976).

“Protection of the public is the purpose of requiring a license.” *State ex rel. Green v. Clark*, 235 Wis. 628, 631, 294 N.W. 25 (1940). When a license is granted to an individual, the Board is assuring the public that the licensed individual is competent in his or her profession. *Stringez v. Dep’t of Regulation & Licensing Dentistry Examining Bd.*, 103 Wis. 2d 281, 287, 307 N.W.2d 664 (1981). It follows that if the Board cannot assure the public of the Respondent’s competence, particularly in situations where a licensee fails to follow another state’s nursing board orders and/or fails to cooperate in an investigation of alleged misconduct, then revocation may be appropriate. See *Gilbert v. State Medical Examining Bd.*, 119 Wis. 2d 168, 189–90, 349 N.W.2d 68 (1984).

The Department recommends that Respondent’s license to practice as a registered nurse in the state of Wisconsin be revoked but would allow Respondent the option to petition the Board to reinstate her license after one year from the date of the Order and provide proof that she has at least one year of documented uninterrupted sobriety and stable mental health, similar to the action taken in Minnesota. Given that the Respondent has made no argument to the contrary and because the recommended discipline is consistent with the purposes articulated in *Aldrich* and case law, I adopt the Department’s recommendation.

The uncontroverted allegations in the Complaint are serious ones. The Minnesota Board of Nursing suspended, and ultimately accepted the voluntary surrender of, Respondent’s Minnesota nursing licenses due to Respondent’s history of alcohol impairment, non-compliance with and withdrawal from HPSP, missing and positive toxicology screens, and relapses. When Respondent failed to cooperate with the Wisconsin Board’s investigation of the MN Order, Respondent impeded and delayed that investigation, further putting public safety at risk. In the present case, the Board can neither assure the public that Respondent is competent in her profession nor can the Board ensure that Respondent will practice nursing safely if she does not cooperate or provide requested information to demonstrate her competency to practice nursing. Thus, the recommended discipline protects the public.

The Board cannot assure the public that Respondent is competent to practice nursing at this time. The Minnesota Board of Nursing accepted Respondent’s surrender of her licenses based on her history of alcohol impairment and non-compliance with HPSP, and after Respondent said she did not want to continue with the nursing profession. Revoking Respondent’s Wisconsin nursing license is consistent with Minnesota’s action. Revocation of her license will also remind Respondent of her duty to abide by the Board’s rules of professional conduct, to timely respond to Board inquiries, and that her actions have serious consequences for her licensure.

The recommended discipline also promotes Respondent’s rehabilitation. The Order gives Respondent the option to petition the Board to reinstate her Wisconsin license after one year from its date and provide proof to the Board that she has at least one year of documented, uninterrupted sobriety and stable mental health. The Board then has the discretion to grant, deny, and/or place limitations on Respondent’s license. This option provides an incentive for Respondent to engage in rehabilitation while at the same time protects the public by preventing Respondent from practicing nursing until the Board is assured she can practice safely.

Furthermore, the recommended discipline deters other credential holders from engaging in similar conduct. Respondent disregarded the Board's authority and the laws in place to protect public health and welfare. Respondent has also failed to cooperate with the Department's investigation and this proceeding. Revoking Respondent's license will deter other credential holders from engaging in similar conduct by sending a message that such conduct is not tolerable.

Finally, the recommended discipline is consistent with Board precedent. *See In the Matter of Disciplinary Proceedings Against Laurel J. Lynch, R.N.*, Order Number 0006974 (September 10, 2020) (license revoked with an option to reinstate after one year after the Missouri Board of Nursing revoked Respondent's privilege to practice for diverting narcotics and failing to cooperate with the Board's investigation);⁴ *see also In the Matter of Disciplinary Proceedings Against Carrie Pietrasik-Dewey, R.N.*, Order Number 0003362 (March 12, 2015) (license was revoked after the Arizona Board of Nursing revoked Respondent's license for possible impairment, illegal drug use, substandard nursing practices, and failure to respond);⁵ *see also In the Matter of Disciplinary Proceedings Against Leta M. Luepnitz, L.P.N.*, Order Number 0000769 (March 24, 2011) (license revoked with an option to reinstate after one year after the Michigan Board of Nursing suspended Respondent's license for diverting controlled substances and similar allegations were made in Wisconsin but Respondent failed to answer the complaint or appear in proceedings with the ALJ).⁶

Based upon the facts of this case and the factors set forth in *Aldrich*, I find that the discipline recommended by the Department, pursuant to the terms and conditions of the Order below, is reasonable and warranted.

Costs

The Department requests that the Respondent be ordered to pay the full costs of their investigation and of these proceedings. The Board is vested with discretion concerning whether to assess all or part of the costs of this proceeding against Respondent. *See* Wis. Stat. § 440.22(2). Section 440.22(2) of the Wisconsin Statutes reads in part:

In any disciplinary proceeding against a holder of a credential in which the department or examining board, affiliated credentialing board or board in the department orders suspension, limitation or revocation of the credential or reprimands the holder, the department, examining board, affiliated credentialing board or board may, in addition to imposing discipline, assess all or part of the costs of the proceeding against the holder...

The above statute does not require any particular analysis when determining whether to assess all or part of the costs in a proceeding against the Respondent. However, in exercising its discretion, the Board must look at aggravating and mitigating facts of the case; it may not assess costs against a licensee based solely on a "rigid rule or invocation of an omnipresent policy," such as preventing

⁴ This decision is available at: <https://online.drl.wi.gov/decisions/2020/ORDER0006974-00016995.pdf>

⁵ This decision is available at: <https://online.drl.wi.gov/decisions/2015/ORDER0003362-00010967.pdf>

⁶ This decision is available at: <https://online.drl.wi.gov/decisions/2011/ORDER0000769-00005859.pdf>

those costs from being passed on to others. *Noesen v. State Department of Regulation & Licensing, Pharmacy Examining Board*, 2008 WI App 52, ¶¶ 30-32, 311 Wis. 2d. 237, 751 N.W.2d 385.

In previous orders, Boards have considered the following factors when determining if all or part of the costs should be assessed against the Respondent: (1) the number of counts charged, contested and proven; (2) the nature and seriousness of the misconduct; (3) the level of discipline sought by the prosecutor; (4) the Respondent's cooperation with the disciplinary process; (5) prior discipline, if any; (6) the fact that the Department is a program revenue agency, funded by other licensees; and (7) any other relevant circumstances. *See In the Matter of Disciplinary Proceedings Against Elizabeth Buenzli-Fritz*, LS0802183CHI (Aug. 14, 2008). It is within the Board's discretion as to which of these factors to consider, whether other factors should be considered, and how much weight to give any factors considered.

The following facts are relevant to the analysis of whether to assess costs against the Respondent in the present matter: First, the Respondent defaulted and thus, the factual allegations identified in the complaint were all proven. This is not a case where the Department wasted resources or incurred additional costs by alleging multiple counts and then failing to prove those counts. Second, the Respondent was previously disciplined in Minnesota for alcohol impairment and non-compliance with HPSP. She then failed to cooperate with the Wisconsin Board's investigation despite the Department's repeated attempts to contact her. Third, not only did the Respondent fail to provide requested information or cooperate during the investigation of the matter, but she failed to file an Answer to the Complaint, failed to provide her current contact information and failed to appear at the September 7, 2021 prehearing conference, further demonstrating a lack of cooperation. The Respondent's prior discipline history and her lack of cooperation with this disciplinary process leans in favor of imposing costs against her. Fourth, the Department is a program revenue agency whose operating costs are funded by the revenue received from credential holders. As such, fairness weighs heavily in requiring Respondent to pay the costs of this proceeding, rather than spreading the costs among all Board licensees in Wisconsin. Finally, Respondent has failed to present any argument as to why full costs should not be assessed.

Considering the above factors, it is appropriate for Respondent to pay the full costs of the investigation and of this proceeding in an amount to be determined pursuant to Wis. Admin. Code § SPS 2.18.

ORDER

For the reasons set forth above, IT IS HEREBY ORDERED that the license of Respondent Allison G. Krawza, R.N., to practice as a registered nurse in the state of Wisconsin (license number 235987-30) is REVOKED.

The Respondent may petition the Board for reinstatement of her license to practice as a registered nurse in the state of Wisconsin after one (1) year from the date of this Order. In the event Respondent petitions the Board for reinstatement, Respondent shall provide proof to the Board that she has at least one year of documented, uninterrupted sobriety and stable mental health. Upon

reviewing the petition, the Board may enter an order denying such petition without further notice or hearing. Whether to grant reinstatement of Respondent's license and/or whether to impose any limitations or restrictions on her license shall be in the sole discretion of the Board. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Respondent shall not have a right to any further hearings or proceedings on the denial.

IT IS FURTHER ORDERED that Respondent pay all recoverable costs in this matter in an amount to be established, pursuant to Wis. Admin. Code § SPS 2.18.

Any requests, petitions, reports, proof of sobriety/stable mental health, other information required by this Order, including costs made by certified check or money order payable to the Wisconsin Department of Safety and Professional Services, shall be delivered to the following address:

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 information online at: <https://dpspsmonitoring.wi.gov>.

IT IS FURTHER ORDERED that the terms of the Order are effective the date the Final Decision and Order in this matter is signed by the Board.

Dated at Madison, Wisconsin, on October 11, 2021.

STATE OF WISCONSIN
DIVISION OF HEARINGS AND APPEALS
4822 Madison Yards Way, 5th Floor North
Madison, Wisconsin 53705
Tel. (608) 266-2447
Email: Kristin.Fredrick@wisconsin.gov

By: 

Kristin P. Fredrick
Administrative Law Judge