

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF THE LICENSE OF

HEATHER L. KOPESKY, C.M.,
LICENSEE.

:
:
: FINAL DECISION AND ORDER
: FOR REMEDIAL EDUCATION
:

ORDER 0007715

Division of Legal Services and Compliance Case No. 20 RMA 001

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

Heather L. Kopesky, C.M.
Neenah, WI 54956

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708- 8368

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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusion of Law, and Order.

FINDINGS OF FACT

1. Licensee Heather L. Kopesky, C.M., (Year of Birth 1980) is licensed in the state of Wisconsin to practice midwifery, having license number 252-49, first issued on January 4, 2019 and current through June 30, 2022. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Neenah, Wisconsin 54956.

2. At all times relevant to this matter, Licensee was self-employed as a licensed midwife working in Wisconsin.

3. On October 30, 2019, Licensee managed the delivery of a 35-year-old female, Patient A. Patient A suffered bilateral labia lacerations and a second-degree perineal laceration during the delivery. Licensee repaired the lacerations with interrupted sutures.

4. On October 31, 2019, Patient A returned to Licensee for a routine postpartum appointment. Licensee did not examine or visually inspect the suture site.

5. On November 11, 2019, Patient A returned to Licensee for a routine postpartum appointment. Licensee did not examine or visually inspect the suture site.

6. On November 16, 2019, Patient A was seen by an obstetrician/gynecologist, with complaints of pain at the perineum due to the sutures. The obstetrician/gynecologist performed an examination and charted the following, in part:

On the left labium majora, there is a long Vicryl tape suture measuring approximately 10 cm in length. It is connected to the right labia majora and a running fashion, and the sutures are separated, they are not performing any function at this point. The area underneath the sutured area is quite erythematous. It is mildly tender to palpation. It appears to have cellulitis. Urethra normal. Remainder of exam deferred due to patient discomfort.

7. The obstetrician/gynecologist removed a portion of the sutures and prescribed an antibiotic.

8. On December 16, 2019, Patient A was seen in follow-up by the obstetrician/gynecologist who noted that Patient A was healing well.

9. On August 20, 2021, Licensee successfully completed the three credit course entitled *MDWF 2090: Pelvic Healing and Suturing* sponsored by the Midwives College of Utah, a fifteen week course held from May through August, 2021.

10. In resolution of this matter, Licensee consents to the entry of the following Conclusion of Law and Order.

CONCLUSION OF LAW

1. The Wisconsin Department of Safety and Professional Services is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. The Department recognizes and accepts the successful completion of the education, as described in paragraph nine of the Findings of Facts above, as the equivalent of the education it

would have otherwise ordered. This education may not be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: Alo Rohnmeyer
Aloysius Rohmeyer, Chief Legal Counsel
on Behalf of the Department

12-6-2021
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF THE LICENSE OF
HEATHER L. KOPESKY, C.M.,
LICENSEE.

STIPULATION

ORDER 0007715

Division of Legal Services and Compliance Case No. 20 RMA 001

Licensee Heather L. Kopesky, C.M., 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. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education by the Wisconsin Department of Safety and Professional Services (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order for Remedial Education without further notice, pleading, appearance or consent of the parties. Licensee waives all rights to any appeal of the Department's order, if adopted in the form as attached.


5. If the terms of this Stipulation are not acceptable to the Department 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 Department, the parties agree not to contend that the Department 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 Department ever assigned as an advisor in this investigation may appear before the Department in open or closed session, without the presence of Licensee, for purposes of speaking in support of this agreement and answering questions that any member of the Department may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Department should accept this Stipulation and issue the attached Final Decision and Order for Remedial Education.

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

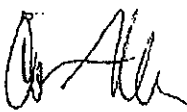
8. The Division of Legal Services and Compliance joins Licensee in recommending the Department adopt this Stipulation and issue the attached Final Decision and Order for Remedial Education.



Heather L. Kopesky, C.M., Licensee
Neenah, WI 54956
License No. 252-49

10/29/21

Date



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

11/2/2021

Date