

## 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 :  
: FINAL DECISION AND ORDER  
DEBORAH A. MAYO, R.N., A.P.N.P., :  
RESPONDENT. : **ORDER 0007731**

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Division of Legal Services and Compliance Case No. 17 NUR 484

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

Deborah A. Mayo, R.N., A.P.N.P.  
Delavan, WI 53115

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. Deborah A. Mayo, R.N., A.P.N.P. (Respondent), (Year of Birth 1955) is licensed in the state of Wisconsin as a registered nurse, having license number 95069-30, first issued on August 22, 1986, and current through February 28, 2022. Respondent is also certified in the state of Wisconsin as an advanced practice nurse prescriber, having certificate number 1856-33, first issued on April 2, 2001, and current through September 30, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Delavan, Wisconsin 53115.

2. At all times relevant to this proceeding, Respondent was employed as a psychiatric nurse practitioner by a healthcare agency, and placed at a county correctional institution (Institution) located in Milwaukee, Wisconsin.

3. Respondent's nursing duties at the Institution included conducting inmate mental health evaluations.

4. Early in the morning of April 16, 2016, Inmate A was processed into the Institution and underwent a health screening conducted by Nurse B. During the health screening Nurse B learned that Inmate A had previously been incarcerated at the Institution in 2012 and had been housed at that time in the special needs' unit due to known mental health concerns. Based on the information provided by Inmate A as well as observations of Inmate A, Nurse B recommended the Institution's psychiatric social worker evaluate Inmate A, and to assign him to the special needs' unit.

5. Inmate A was initially assigned to the special needs' unit. However early in the morning of April 17, 2016, he was loud, disruptive and was flooding the floor of his cell. Inmate A was transferred from the special needs' unit to the segregation unit.

6. The Institution's psychiatric social worker entered a task requesting a mental health evaluation of Inmate A. On the evening of April 22, 2016, Respondent, accompanied by a correctional officer, went to Inmate A's cell. The correctional officer who accompanied Respondent told Respondent that he knew Inmate A from the community and that "he doesn't act like this." Due to Respondent's understanding that Inmate A was transferred to the segregation unit due to disciplinary issues, Respondent did not ask the correctional officer to bring Inmate A out of his cell and to an examination room even though her practice was to conduct mental health evaluations in an examination room. Respondent advised the Department that her understanding was that security would not bring Inmate A out of his cell due to his behavior, which is why she went to Inmate A's cell.

7. Respondent stood outside Inmate A's cell door, and observed through the window of the closed cell door, Inmate A sitting naked on the floor. Inmate A's cell was dark. Respondent asked Inmate A if he would engage with her and consent to a mental health examination and if he was interested in starting mental health medication. Inmate A did not consent to an examination.

8. Inmate A, while facing the back of his cell and hitting the bed with his shirt, did not speak to Respondent.

9. Respondent's mental health evaluation of Inmate A lasted approximately two (2) minutes.

10. Respondent denies that her interactions with Inmate A on April 22, 2016, deviated from the standard of care or violated any duties and requirements of her credentials to practice nursing in Wisconsin.

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 departed from or failed 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 within the meaning of Wis. Admin. Code § N 7.03(6)(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 § N 7.03.

### ORDER

1. The attached Stipulation is accepted.
2. Respondent is REPRIMANDED.
3. The license and certificate of Respondent (license no. 95069-30 and certificate no. 1856-33) to practice as a registered nurse and as an advanced practice nurse prescriber, respectively, in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact (Compact), are LIMITED as follows:
  - a. Within 30 days of the date of this Order, Respondent shall provide certificates of completion of the following: three (3) hours of education on the topic of documentation for the correctional nurse, three (3) hours of education on the topic of mental health nursing in the correctional setting, and one (1) hour of education on the topic of chronic illness in the correctional setting. The completion of such education must have occurred between October 1, 2017, through December 1, 2021.
  - b. In the event that any of the certificates provided by Respondent in the preceding paragraph do not meet the requirements set forth in that paragraph, then within 90 days of the date of this Order, Respondent shall, at her own expense, successfully complete any remaining courses required in the preceding paragraph. The courses required by this paragraph shall be offered by a provider pre-approved by the Board's monitoring liaison, and include taking and passing any exam offered for the courses.
  - c. Respondent shall submit proof of successful completion of the education required by paragraph b. in the form of verification from the institution providing the education to the department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.

d. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all the ordered education.

4. Pursuant to the Compact, Respondent may not practice in another Compact state, other than Wisconsin, while her license is encumbered by any term(s) of this Order.

5. Respondent shall pay COSTS of this matter in the amount of \$7500.00, via 17 consecutive monthly payments of \$416.67, with a final 18<sup>th</sup> month payment of \$416.61. The first payment is due January 31, 2022.

6. Any requests, petitions, payment of costs (made payable to Department of Safety and Professional Services), and other information required by this Order 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) 267-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

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

7. In the event Respondent violates any term of this Order, Respondent's license and certificate (no. 95069-30 and no. 1856-33, respectively), or Respondent's right to renew her license or certificate, 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.

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

WISCONSIN BOARD OF NURSING

By:   
A Member of the Board

12/9/2021  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

DEBORAH A. MAYO, R.N., A.P.N.P.,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

**ORDER 0007731**

Division of Legal Services and Compliance Case No. 17 NUR 484

Deborah A. Mayo, R.N., A.P.N.P. (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 John Reid.

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.

Deborah A. Mayo APNP  
Deborah A. Mayo, R.N., A.P.N.P. Respondent  
Delavan, WI 53115  
License and Certificate Nos. 95069-30 and 1856-33

12-3-21  
Date

John Reid, Respondent's Attorney  
Cassiday Schade, LLP  
330 E. Kilbourn Avenue, Suite 575  
Milwaukee, WI 53202

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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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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Deborah A. Mayo, R.N., A.P.N.P., Respondent  
Delavan, WI 53115  
License and Certificate Nos. 95069-30 and 1856-33

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
John Reid, Respondent's Attorney  
Cassiday Schade, LLP  
330 E. Kilbourn Avenue, Suite 575  
Milwaukee, WI 53202

12/3/21  
\_\_\_\_\_  
Date

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

12/6/21  
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Date