

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE	:	ORDER IMPOSING
DISCIPLINARY PROCEEDINGS AGAINST	:	ADDITIONAL LIMITATIONS
	:	
CHERIE M. JESS, R.N.,	:	ORDER0006936
RESPONDENT.	:	

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TO: CHERIE M JESS RN  
FORT ATKINSON WI 53538

On August 13, 2020, the Wisconsin Board of Nursing (“Board”) issued a Final Decision and Order (“Order”) limiting Respondent’s professional nursing license with certain terms and conditions including, but not limited to, drug and alcohol monitoring, abstain from all personal use of alcohol and controlled substances, shall not work as a nurse or health care provider in a setting which she has access to controlled substances, and the submission of quarterly reports for a period of at least two (2) years. The Order further states that the Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.

On October 13, 2022, the Board considered Respondent’s request for the return of full licensure. Based upon the information of record, the Board denied Respondent’s request for full licensure and may be reconsidered after she completes the Board’s requests to undergo a fitness to practice evaluation. Veteran Affairs (“VA”) Psychiatrists were approved to be Respondent’s evaluator for the assessment.

On November 3, 2022, the Board Liaison reviewed the VA materials submitted by the Respondent regarding her permanent disability status, and finds and makes the following:

ORDER

1. Respondent’s registered nurse license (license number 200453-30) is further LIMITED as follows:
  - a. Respondent shall undergo, at her own expense, 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.
    - i. Prior to evaluation, Respondent shall provide a copy of this Final Decision and Order to the Evaluator.
    - ii. 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.

- iii. 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.
- iv. 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.
- v. Respondent is responsible for ensuring that the results of the evaluation are sent to the Department Monitor at the address in paragraph 2 below.
- vi. 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 right to renew and/or her 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.
- vii. 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 right to renew and/or her 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:
  - 1) 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.
  - 2) Additional professional education in any identified areas of deficiency.
  - 3) 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.

2. Any requests, petitions, reports and other information required by all orders shall be mailed, emailed, faxed or delivered to:

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

3. All terms and conditions of the Order remain in full force and effect.

4. This order is effective the date of its signing.

WISCONSIN BOARD OF NURSING

By: Emily Jentz, R.N. 11/07/2022  
A Member of the Board *K.S.H.* Date