

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
EVAN M. SHEEDY, R.N.,	:	ORDER #: 0007268
RESPONDENT.	:	

Division of Legal Services and Compliance Case No. 21 NUR 098

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

Evan M. Sheedy, R.N.
Three Lakes, WI 54562

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 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. Evan M. Sheedy, R.N. (Respondent), (Year of Birth 1989) is licensed in the state of Wisconsin as a registered nurse with a single state license, having license number 245506-30, first issued on January 11, 2019. This license was suspended on March 12, 2021 and set to expire on March 1, 2022. Respondent has not submitted an application for renewal. Pursuant to Wis. Stat. § 440.08(3), Respondent may apply for renewal of this license upon payment of a fee until February 28, 2027.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Three Lakes, Wisconsin 54562.

3. On February 24, 2021, Respondent was charged in Oneida County Circuit court, Case Number 21CF059 with one (1) count of Capture an Intimate Representation, a class I felony, in violation of Wis. Stat. § 942.09(2)(am)1., and one (1) count of Invade Privacy – View/Broadcast/Record Individual’s Genitals, etc., a class I felony, in violation of Wis. Stat. § 942.08(3).

4. On February 25, 2021, the Department’s Division of Legal Services and Compliance (Division) opened an investigation of Respondent on behalf of the Board concerning the charges referenced in paragraph 2.

5. On March 4, 2021, Respondent was charged in Oneida County Circuit Court, Case Number 21CF066 with two (2) counts of Possession of Child Pornography, a class D felony, in violation of Wis. Stat. § 948.12(1m).

6. On March 11, 2021, the Division was informed of the charges in Oneida County Circuit Court, Case Number 21CF066.

7. On March 12, 2021, the Board issued an Interim Order (Interim Order # 007268) suspending Respondent’s license to practice as a registered nurse during the pendency of Oneida County Circuit Court case number 21CF059 and the Division’s case number 21 NUR 098.

8. On February 21, 2022, Respondent was found guilty, subsequent to plea agreements, in Oneida County Circuit Court, Case Number 21CF059 of one (1) count of Capture an Intimate Representation, a class I felony, in violation of Wis. Stat. § 942.09(2)(am)1. and in Oneida County Circuit Court, Case Number 21CF066 of one (1) count of Possession of Child Pornography, a class D felony, in violation of Wis. Stat. § 948.12(1m).

9. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Board 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 violated a law substantially related to the practice of nursing and was convicted of a crime substantially related to the practice of nursing within the meaning of Wis. Admin. Code § N 7.03(2).

3. By the conduct described in the Findings of Fact, Respondent failed to safeguard the patient’s dignity, or the right to privacy within the meaning of Wis. Admin. Code § N 7.03(3)(a).

4. By the conduct described in the Findings of Fact, Respondent made statements or disclosures that create a risk of compromising a patient’s privacy, confidentiality, or dignity, including statements or disclosures via electronic or social media, within meaning of Wis. Admin. Code § N 7.03(3)(c).

5. By the conduct described in the Findings of Fact, Respondent abused a patient by a single or repeated act of force, violence, harassment, deprivation, neglect, or mental pressure which reasonable could cause physical pain, injury, mental anguish, or fear within the meaning of Wis. Admin. Code § N 7.03(4)(c).

6. By the conduct described in the Findings of Fact, Respondent engaged in significant disruptive behavior or interaction with a patient that interfered with patient care or could reasonably be expected to adversely impact the quality of care rendered within the meaning of Wis. Admin. Code § 7.03(4)(d).

7. By the conduct described in the Findings of Fact, Respondent failed to establish, maintain, or communicate professional boundaries with the patient within meaning of Wis. Admin. Code § N 7.03(4)(e)1.a.

8. By the conduct described in the Findings of Fact, Respondent exploited the professional relationship with a patient in a manner for the nurse's emotional, financial, sexual, or personal advantage or benefit within the meaning of Wis. Admin. Code § N 7.03(4)(e)1.c.

9. By the conduct described in the Findings of Fact, Respondent, Respondent engaged in conduct that may reasonably be interpreted by a patient as sexual within the meaning of Wis. Admin. Code § N 7.03(4)(f)1.b.

10. By the conduct described in the Findings of Fact, Respondent posed, photographed or recorded the body or any body part of a current or former patient, other than for health care purposes within the meaning of Wis. Admin. Code § N 7.03(4)(f)1.c.

11. By the conduct described in the Findings of Fact, Respondent departed from 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).

12. 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's license (license no. 245506-30) to practice as a registered nurse in the state of Wisconsin, any appurtenant right to renew said license, and/or right to practice in Wisconsin under another state's license pursuant to the Enhanced Nurse Licensure Compact are REVOKED.

3. Within ninety (90) days of the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$993.00.

4. In the event Respondent petitions the Board for reinstatement as a nurse, the Board may enter an order denying such application without further notice or hearing. Whether to grant

a license and whether to impose any limitations or restrictions on any license granted shall be in the sole discretion of the Board and such decision is not reviewable.

5. Any requests, petitions, payments 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) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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

6. This order supersedes any previous Orders entered in this matter.

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

WISCONSIN BOARD OF NURSING

By: Robert Weimer, RN-CCNP
A Member of the Board of Nursing

5/12/2022
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
EVAN M. SHEEDY, R.N.,	:	ORDER #: 0007268
RESPONDENT.	:	

Division of Legal Services and Compliance Case No. 21 NUR 098

Evan M. Sheedy, R.N. (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.

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.

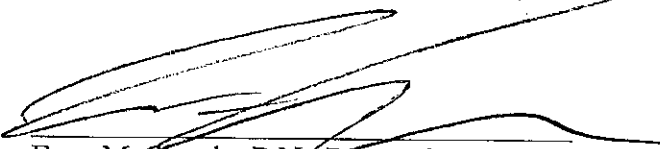
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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, 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.



Evan M. Sheedy, R.N., Respondent
Three Lakes, WI 54562
License No. 245506-30

3/23/22

Date



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

3/31/2022

Date