

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
CHANTAL S. COWAN, R.N., :
RESPONDENT. :

ORDER 0007821

Division of Legal Services and Compliance Case No. 19 NUR 721

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

Chantal S. Cowan, R.N.
Keshena, WI 54153

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

A disciplinary proceeding was commenced in this matter by the filing of a Notice of Hearing and Complaint with the Division of Hearing and Appeals on September 24, 2021. Prior to the hearing on the Complaint, the parties in this matter agreed 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. Respondent Chantal S. Cowan, R.N., (Year of Birth 1978) is licensed in the state of Wisconsin as a registered nurse, having license number 236823-30, first issued on July 6, 2017. This license expired on February 29, 2020, and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to apply for renewal upon payment of a fee until February 28, 2025. This Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Keshena, Wisconsin 54153.¹

¹ The Department has reason to believe that Respondent currently resides in Oconto Falls, Wisconsin 50154.

2. On November 29, 2019, the Board received a complaint alleging Respondent was arrested for the possession of methamphetamine on November 8, 2019, and as a result the Board opened an investigation.

3. On April 27, 2020, Respondent provided a response to the Department via email, and attached a copy of the Criminal Complaint in Brown County Circuit Court Case Number 19CF1732 dated November 8, 2019, in which Respondent was charged with one (1) count of Possession of Methamphetamine.

4. On November 7, 2019, officers from the Oneida Police Department were called to the Oneida Casino for a drug complaint after casino staff found suspected drugs in Respondent's wallet. An officer conducted a field test on the alleged drugs, which showed positive results for the presence of methamphetamine. Respondent was arrested for the possession of methamphetamine.

5. On February 17, 2021, Respondent entered into a deferred prosecution agreement (DPA) with the Brown County District Attorney in Brown County Circuit Court Case Number 19CF1732, which included a condition that Respondent plead guilty to the charge of Possession of Methamphetamine. Respondent entered a plea of guilty, and the Court withheld judgment and accepted the DPA.

6. On March 18, 2021, Respondent stated to the Department via e-mail that she completed an AODA assessment and was participating in an outpatient treatment program until she is discharged. Respondent used the e-mail address on file with the Department.

7. On March 22, 2021, the Department sent a request to Respondent via e-mail, to the address on file with the Department, for information related to her AODA assessment and drug treatment program. Respondent did not respond.

8. On May 3, 2021, the Department sent a second e-mail to Respondent requesting the same information. Respondent did not respond.

9. On May 17, 2021, the Department sent a third e-mail to Respondent requesting the same information. Respondent did not respond.

10. On June 11, 2021, the Department sent a certified letter to Respondent's address listed on the Wisconsin Circuit Court Access website. The letter was unclaimed and was returned to the Department.

11. On July 23, 2021, the Department sent another certified letter to Respondent's address on file with the Department. The letter was unclaimed and returned to the Department.

12. On November 10, 2021, the Division of Hearings and Appeals held a prehearing conference in this case. Respondent appeared at the conference and stated she is seeking AODA and mental health treatment and is unable to make nursing decisions at this time. Respondent subsequently requested to surrender her license in lieu of continuing with contested disciplinary proceedings.

13. 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(1g)(b), (c), and (d), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER by Respondent of her license to practice as a registered nurse in the state of Wisconsin (license no. 236823-30), as well as her right to renew such license, is accepted.

3. In the event Respondent petitions the Board for reinstatement of her license to practice as a registered nurse in the state of Wisconsin or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$1,885.00, before any petition or application for a credential will be considered by the applicable board or Department.

4. In the event Respondent petitions the Board for reinstatement as a registered 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://dpsmonitoring.wi.gov>.

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

WISCONSIN BOARD OF NURSING

By:


A Member of the Board

2/10/2022

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CHANTAL S. COWAN, R.N.,
RESPONDENT.

:
:
:
:
:
:

STIPULATION

ORDER 0007821

Division of Legal Services and Compliance Case No. 19 NUR 721

Chantal S. Cowan, 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.

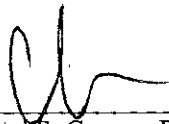
5. If the terms of this Stipulation are not acceptable to the Board the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



Chantal S. Cowan, R.N., Respondent
Keshena, WI 54153
License No. 236823-30

12/24/21

Date



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

January 7, 2022

Date