

## 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

EMILY J. BLEND, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0007824**

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Division of Legal Services and Compliance Case No. 20 NUR 579

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

Emily J. Blend, R.N.  
Wind Lake, WI 53185

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. Respondent Emily J. Blend, R.N., (Year of Birth 1981) is licensed in the state of Wisconsin as a registered nurse, with multistate privileges pursuant to the Enhanced Nurse Licensure Compact (Compact), having license number 148474-30, first issued on September 9, 2004, and current through February 28, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Wind Lake, Wisconsin 53185.

2. At all times relevant to this matter, Respondent was employed as a registered nurse at a medical center (Facility) in Milwaukee, Wisconsin.

3. In August 2020, the Facility became aware that Respondent, in her position as Director of Clinical Operations, accessed patient health records of friends and colleagues without a legitimate business purpose. The Facility's investigation revealed that Respondent's unauthorized access of patient health records occurred between 2016 until August of 2020.

4. On August 17, 2020, the Facility terminated Respondent's employment.

5. The Department's Division of Legal Services and Compliance (Division) opened Case No. 20 NUR 579 for investigation after receiving numerous complaints regarding Respondent's unauthorized access. Respondent has cooperated with the Division's investigation.

6. In January of 2021, Respondent successfully completed 10.5 hours of continuing education on the topics of nursing ethics and HIPAA compliance as follows:

- a. *Nursing Ethics* (2.5 credits);
- b. *Using HIPAA in the Real World: A Review* (2.0 credits);
- c. *HIPAA and Confidentiality: Practice May Change but Principles Endure* (1.0 credit);
- d. *Protect Yourself: Know Your Nurse Practice Act* (1.0 credit);
- e. *Maintaining Your Professional Nursing Practice* (3.0 credits); and
- f. *HIPAA: What You Need to Know* (1.0 credit).

7. On February 11, 2021, Respondent underwent a fitness to practice evaluation with a licensed psychologist. The results of the evaluation were provided to the Department and reflect that Respondent has committed herself to her professional field and that her mental health status does not affect her ability to perform her duties competently.

8. 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 failed to safeguard the patient's dignity, or the right to privacy within the meaning of Wis. Admin. Code § N 7.03(3)(a).

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 Board accepts the continuing education courses set forth in Findings of Fact paragraph No. 6 in satisfaction of continuing education the Board would otherwise require. Such courses may not be used in satisfaction of the statutory continuing education requirements for licensure or in future attempts to upgrade a credential in Wisconsin.

4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$985.00.

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. Pursuant to Wis. Stat. § 441.51(5)(b), Respondent's multistate licensure privilege to practice in all Compact states besides Wisconsin is deactivated while Respondent's license is encumbered by the terms of this Order.

7. In the event Respondent violates any term of this Order, Respondent's license (no. 148474-30), or Respondent's right to renew her license, 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 of Nursing

2/10/2022  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

EMILY J. BLEND, R.N.,  
RESPONDENT.

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STIPULATION  
**ORDER 0007824**

Division of Legal Services and Compliance Case No. 20 NUR 579

Respondent Emily J. Blend, R.N., 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 Kristen Nelson.

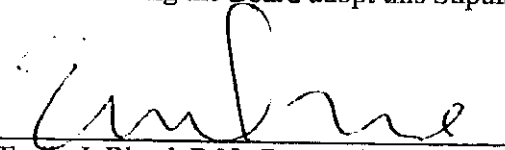
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives 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.

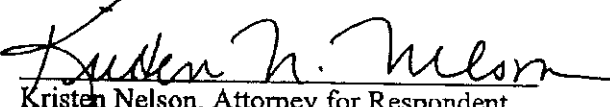
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's 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.

  
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Emily J. Blend, R.N., Respondent  
Wind Lake, WI 53185  
License No. 148474-30

12/16/21  
\_\_\_\_\_  
Date

  
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Kristen Nelson, Attorney for Respondent  
Gimbel Reilly Guerin Brown, LLP  
330 E. Kilbourn Ave. Ste. 1170  
Milwaukee, WI 53202

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

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

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