

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
JONI L. BLAU, R.N., :
RESPONDENT. :

ORDER 0007889

Division of Legal Services and Compliance Case No. 18 NUR 395

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

Joni L. Blau, R.N.
Prairie du Sac, WI 53578

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 Joni L. Blau, 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 144436-30, first issued on June 12, 2003 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 Prairie du Sac, Wisconsin 53578.

2. At all times relevant to this proceeding, Respondent was employed as a Director of Nursing at a nursing home facility, located in Sauk City, Wisconsin (Facility).

3. In May 2018, the Facility was surveyed by the Department of Health Services (DHS), Division of Quality Assurance (DQA). Respondent was the Director of Nursing at the time of the survey. Following the survey, DHS/DQA issued a Statement of Deficiencies Report which included, intra alia:

- a. The Facility had failed to ensure a safe environment for residents by not having measures in place to identify and monitor a registered sex offender resident.

4. On June 27, 2019, DHS/DQA found the Facility's plan of correction in compliance and that all previously cited deficiencies had been corrected.

5. Respondent has completed the following education sponsored by NCSBN:

- a. *Righting a Wrong- Ethics and Professionalism in Nursing* on June 10, 2020 (3.0 hours),
- b. *Sharpening Critical Thinking Skills* on June 12, 2020 (3.6 hours),
- c. *Professional Accountability and Legal Liability for Nurses* on June 21, 2020 (4.6 hours),
- d. *Effective Delegation: Understanding Responsibility, Authority and Accountability* on June 21, 2020 (1.2 hours), and
- e. *Defining and Assigning Accountability for Quality Care and Patient Safety* on June 25, 2020 (1.6 hours).

6. While Respondent disputes the DHS/DQA statement of Deficiencies Report and further denies inappropriate practice as a registered nurse, Respondent consents to the entry of the following Conclusions of Law and Order in resolution of this matter.

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 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 Board recognizes the aforementioned education courses completed by Respondent as the equivalent of the education the Board would have otherwise ordered. These courses may not be used to satisfy the statutory continuing education requirements for licensure.
4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$900.00.
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
DPSMonitoring@wisconsin.gov

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

6. Should Respondent have a Wisconsin multistate license pursuant to the Compact, Respondent may not practice in any Compact state, other than Wisconsin, while Respondent's license is encumbered by any term(s) of this Order.
7. In the event Respondent violates any term of this Order, Respondent's license (number 144436-30), 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

3/10/2022

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JONI L. BLAU, R.N.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0007889

Division of Legal Services and Compliance Case No. 18 NUR 395

Respondent Joni L. Blau, 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 Mario Mendoza.
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.



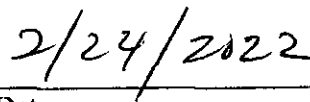
Joni L. Blau, R.N., Respondent
Prairie du Sac, WI 53578
License No. 144436-30



Date



Mario Mendoza, Attorney for Respondent
Murphy Desmond, SC
33 East Main Street, Suite 500
P.O. Box 2038
Madison WI 53703



Date



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

February 25, 2022

Date