

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

JEREMY J. DEPPISCH, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0007890

Division of Legal Services and Compliance Case No. 18 NUR 072

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

Jeremy J. Deppisch
Franklin, WI 53132

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. Jeremy J. Deppisch, R.N. (Respondent), (Year of Birth 1970) is licensed in the state of Wisconsin as a registered nurse, having license number 176188-30, first issued on January 26, 2011. This license expired on March 1, 2020 and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Respondent may apply for renewal of this license, upon payment of a fee, until February 28, 2025.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Franklin, Wisconsin 53132.

3. In January 2018, Respondent delivered amoxicillin to an inmate who complained of cat scratches received during work release.

4. Respondent did not have an order from a physician to provide amoxicillin to the inmate. During an internal investigation, Respondent stated he gave the amoxicillin based on a verbal order from November 2017.

5. Respondent was accused of engaging in sexual conduct with the inmate. Respondent was acquitted at trial of sexual assault of an inmate.

6. Respondent has not practiced as a nurse since July 2018.

7. 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 was noncompliant with federal, jurisdiction, or reporting requirements within the meaning of Wis. Admin. Code § 7.03(1)(e) by practicing beyond the scope of practice permitted by law.

3. By the conduct described in the Findings of Fact, Respondent engaged in unsafe practice or substandard care within the meaning of Wis. Admin. Code § N 7.03(6)(c) by departing from or failing 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.

4. By the conduct described in the Findings of Fact, Respondent engaged in improper prescribing, dispensing, or administering medication or drug related offenses within the meaning of Wis. Admin. Code § N 7.03(8)(b) by dispensing any drug other than in the course of legitimate practice or as otherwise prohibited by law.

5. 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 right to apply for renewal and/or reinstatement of the registered nurse license issued to Respondent [license number 176188-30] is LIMITED as follows:

- a. Within ninety (90) days prior to applying for renewal or reregistration of his license, Respondent shall, at his own expense, undergo 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. Respondent shall also disclose the sexual assault allegations 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. 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 apply for renewal or reinstatement of his 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.
- vi. 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 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.
- vii. Respondent is responsible for ensuring that the results of the evaluation are sent to the Department Monitor at the address in paragraph 5 of this Order.
- b. Upon successful completion of the terms of paragraph 3.a. of this Order, Respondent shall be granted a LIMITED license for the sole purpose of allowing participation in a board-approved nurse refresher course.
- i. Pursuant to the Nurse Licensure Compact (Compact), this limited license for the sole purpose of enabling the applicant to complete the refresher course is limited to Wisconsin during the pendency of this limitation.
 - ii. The limited license shall be valid for one (1) year from the date of issuance. If the refresher course is not completed within one year, the limited license will expire and Respondent will need to reapply for a limited license to complete the course.
 - iii. Upon successful completion of the refresher course, Respondent's license will be renewed and or reinstated, subject to any limitations imposed under paragraph 3 of this Order.
4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$2,399.00 or enter into a payment plan with the Department Monitor.
6. 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>

7. Pursuant to Wis. Stat. § 441.51(5)(b), Respondent's multistate licensure privilege to practice in all Compact states besides Wisconsin is deactivated during the pendency of this Order.

8. In the event Respondent violates any term of this Order, Respondent's license (176188-30), or Respondent's right to apply for renewal or reinstatement of his 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.

9. 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

JEREMY J. DEPPISCH, R.N.,
RESPONDENT.

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STIPULATION

ORDER 0007890

Division of Legal Services and Compliance Case No. 18 NUR 072

Jeremy J. Deppisch, 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. Respondent is represented by Attorney Kirk Everson.

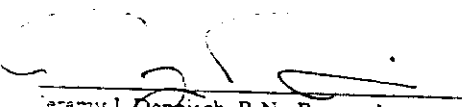
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives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


Jeremy J. Deppisch, R.N., Respondent
Franklin, WI 53132
License No. 176188-30

02/08/2022
Date


Kirk Everson, Attorney for Respondent
Everson & Richards, LLP
N9525 Van Dyne Road
PO Box 16
Van Dyne, WI 54979

2/9/2022
Date


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

February 10, 2022
Date

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.

Jeremy J. Deppisch, R.N., Respondent
Franklin, WI 53132
License No. 176188-30

Date

Kirk Everson, Attorney for Respondent
Everson & Richards, LLP
N9525 Van Dyne Road
PO Box 16
Van Dyne, WI 54979

Date

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

Date