

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 :
 :
AMANDA M. YANKUNAS, R.N. : FINAL DECISION AND ORDER
RESPONDENT. : FOR VOLUNTARY SURRENDER
 :
 : **ORDER 00079 15**

Division of Legal Services and Compliance Case No. 21 NUR 327

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

Amanda M. Yankunas, R.N.
Hatley, WI 54440

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 Amanda M. Yankunas, R.N., (Year of Birth 1982) is licensed in the state of Wisconsin as a registered nurse, having license number 201450-30, first issued on June 18, 2014. Respondent's license was set to expire on March 1, 2022 and has not attempted to renew. However, due to 2021 Wisconsin Act 10, health care provider credentials will not expire until thirty days after the end of the declared national emergency. Therefore, Respondent's license remains active despite the fact she has not completed any of the renewal requirements as of the date of this Complaint. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to apply for renewal upon payment of a fee until February 28, 2027. Respondent possesses multistate practice privileges pursuant to the Enhanced Nurse Licensure Compact (Compact).

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Hatley, Wisconsin 54440.

3. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a laser hair removal facility located in Wausau, Wisconsin (Facility).

4. On April 21, 2021, Respondent was witnessed consuming alcohol then entering a treatment room to perform laser hair removal on a patient.

5. Respondent admitted to consuming alcohol on April 12 and 13, 2021, while at work and conducting treatments on patients.

6. Respondent was suspended from her employment on April 13, 2021 and terminated on April 23, 2021.

7. On May 4, 2021, Respondent entered an inpatient substance abuse treatment program. Respondent was diagnosed with "Alcohol Use Disorder – Severe."

8. On May 18, 2021, the Department received a complaint alleging the above misconduct. This matter was opened for investigation on May 20, 2021.

9. Respondent successfully completed and was discharged from the inpatient treatment program on July 2, 2021.

10. On February 9, 2022, the Department offered Respondent a proposal for discipline in this matter. In response, Respondent opted to voluntarily surrender her registered nursing license in lieu of discipline.

11. Respondent continues to receive outpatient aftercare treatment.

12. 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. Under Wis. Stat. § 440.19, Respondent may voluntarily surrender her credential.

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER by Respondent of her license to practice registered nursing in the state of Wisconsin (license no. 201450-30), 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 \$573.00 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
DPSMonitoring@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

Date

4/14/2022

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
AMANDA M YANKUNAS, R.N., :
RESPONDENT. :

Division of Legal Services and Compliance Case No. 21 NUR 327

Amanda M. Yankunas, 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.

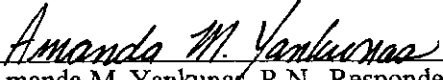
5. If the terms of this Stipulation are not acceptable to the Board the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



Amanda M. Yankunas, R.N., Respondent
Hatley, WI 54440
License No. 201450-30

Date 3/2/22



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

Date 3/8/2022