

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
NATASHA JOVANOVIC, L.P.N., :
RESPONDENT. :

ORDER 0007966

Division of Legal Services and Compliance Case No. 19 NUR 075

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

Natasha Jovanovic, L.P.N.
Mount Pleasant, WI 53406

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. Natasha Jovanovic, L.P.N. (Respondent), (Year of Birth 1989) is licensed in the state of Wisconsin as a licensed practical nurse, with multistate privileges pursuant to the Enhanced Nurse Licensure Compact (Compact), having license number 319282-31, first issued on April 9, 2015, and current through April 30, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Mount Pleasant, Wisconsin 53406.

2. At all times relevant to this proceeding, Respondent worked as a licensed practical nurse at a facility located in Milwaukee, Wisconsin (Facility).

3. On January 18, 2019, the Department received allegations that Respondent engaged in professional misconduct.

4. On May 7, 2020, in response to a letter sent by the Department and addressed to Respondent, the Respondent's sister described Respondent's severe physical and cognitive impairments resulting from multiple medical conditions.

5. Respondent's sister stated that Respondent was unable to participate in the investigation and that no guardian or attorney-in-fact had been appointed.

6. After a review of all available and gathered information related to the incident as alleged, the Department determined that a finding of professional misconduct could not be supported.

7. On September 28, 2020, Respondent's treating neurologist provided the following opinions on Respondent's condition which was based on testing and personal knowledge of Respondent.

- a. Respondent has "striking impairments in memory and executive function."
- b. Respondent is not mentally capable of participating in discussions regarding potential disciplinary matters.
- c. Respondent's "broad cognitive impairments" would "certainly impact her ability to practice nursing." It would not be safe for Respondent to practice nursing.
- d. Respondent's impairments are primarily in the cognitive realm; although, there are recurrent physical impairments as well.

8. Respondent's treating neurologist concluded, "Sadly, based on my knowledge, professional experience, and personal experience with this patient, I do not believe she will regain cognitive capacity to practice nursing in the future."

9. On March 8, 2022, in response to the Department's email inquiry regarding the status of the appointment of a guardian or attorney-in-fact for Respondent, Respondent called the Department and stated that she had recovered and desires to resume the practice of nursing.

10. 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 is unable to practice safely by reason of psychological impairment or mental disorder within the meaning of Wis. Admin. Code § N 7.03(6)(g).

3. By the conduct described in the Findings of Fact, Respondent is unable to practice safely by reason of physical illness or impairment within the meaning of Wis. Admin. Code § N 7.03(6)(h).

4. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b), (c), and (d), and Wis. Admin. Code § N 7.03.

ORDER

1. The attached Stipulation is accepted.

2. Respondent's license (license number 319282-31) to practice nursing in the state of Wisconsin and her privilege to practice in Wisconsin pursuant to the Enhanced Nurse Licensure Compact (Compact), are **SUSPENDED** indefinitely.

3. After thirty (30) days from the date of this Order, Respondent may petition for termination of the suspension, upon showing compliance with the terms and conditions in paragraphs 4 through 6 below. Whether or not to terminate the suspension is solely within the discretion of the Board or its designee.

4. Respondent shall, at her own expense, undergo a fitness to practice evaluation to determine Respondent's ability to safely practice nursing, in consideration of her physical and psychological conditions, with a pre-approved neurological Independent Medical Examiner (Evaluator) who does not have a preexisting personal or professional relationship with Respondent and is experienced in evaluating whether a health care professional is fit to practice.

5. Respondent shall, at her own expense, undergo a fitness to practice evaluation to determine Respondent's ability to safely practice nursing, in consideration of her physical and psychological conditions, with a pre-approved psychological Independent Medical Examiner (Evaluator) who does not have a preexisting personal or professional relationship with Respondent and is experienced in evaluating whether a health care professional is fit to practice.

6. The evaluations in paragraphs 4 and 5 above will be conducted as follows:

- a. Prior to evaluation, Respondent shall provide a copy of this Final Decision and Order to the Evaluators.
- b. Respondent shall identify and provide the Evaluators with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated.
- c. Within fifteen (15) days of the completion of each evaluation, a written report regarding the results of the evaluation 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.

- d. Respondent shall execute necessary documents authorizing the Division of Legal Services and Compliance (Division) to obtain records of each evaluation, and to discuss Respondent and her case with the Evaluators. Respondent shall execute all releases necessary to permit disclosure of the final evaluation reports to the Board or its designee. Certified copies of the final evaluation reports shall be admissible in any future proceeding before the Board.
- e. If either of the Evaluators determine that Respondent is not fit to practice or is fit for practice with limitations, the Board or its designee may suspend Respondent's 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.
- f. If either of the Evaluators determine 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 circumstances set out in the Findings of Fact and to address any recommendations resulting from the evaluation(s), *including, but not limited to:*
 - i. Psychotherapy, or other therapy/treatment, at Respondent's expense, by a therapist or provider approved by the Board or its designee, to address specific treatment goals, with quarterly reports to the Board by the therapist or provider.
 - ii. Additional professional education in any identified areas of deficiency.
 - iii. 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.
- g. Respondent is responsible for ensuring that the results of the evaluations are sent to the Department Monitor at the address listed in this Order.

5. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,909.00.

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
DPSMonitoring@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 (number 319282-31), 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.

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

WISCONSIN BOARD OF NURSING

By: Robert Weiman, RN-CCNP
A Member of the Board of Nursing

5/12/2022
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

NATASHA JOVANOVIC, L.P.N.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0007966

Division of Legal Services and Compliance Case No. 19 NUR 075

Natasha Jovanovic, L.P.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

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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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Natasha Jovanovic
Natasha Jovanovic, L.P.N., Respondent
Mount Pleasant, WI 53406
License No. 319282-31

4-21-22
Date

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

4/21/22
Date

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