

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

AMBER R. WILKERSON,
RESPONDENT.

:
:
: ADMINISTRATIVE INJUNCTION
:
: **ORDER 0008039**

Division of Legal Services and Compliance Case No. 22 UNL 044

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

Amber R. Wilkerson
Spring Green, WI 53588

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

Division of Legal Services and Compliance
Wisconsin 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 Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Amber R. Wilkerson (Year of Birth 1978) is not and has never been licensed as a registered nurse in the state of Wisconsin.
2. On September 25, 2009, Respondent was granted an Oklahoma single-state registered nurse license with a renewal date of July 31, 2022.
3. In July 2020, Respondent moved to Wisconsin and claims that she applied for a Wisconsin nursing license at that time. The Department has no record of receiving an application for a nursing license from Respondent in 2020.

4. Respondent worked as a registered nurse at a hospital in Madison, Wisconsin, from September 2020 until March 2022.

5. In March 2022, Respondent's employer informed Respondent that she was not licensed to practice nursing in Wisconsin. Respondent immediately stopped practicing nursing in Wisconsin and is on leave of absence until her Wisconsin nursing license is granted.

6. From September 2020 to March 2022, Respondent worked as a registered nurse without a valid license to practice as a registered nurse in Wisconsin. During this time, Respondent incorrectly believed that her Oklahoma license was a multi-state license and that she had applied for, and been granted, a Wisconsin license.

7. On or around April 15, 2022, Respondent applied for a Wisconsin single-state registered nurse license via endorsement. Respondent's application remains pending.

8. Respondent consents to the entry of the following conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Department has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21 and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5) and Wis. Stat. § 441.13(3).

2. Pursuant to Wis. Stat. § 441.06(4), no person may practice or attempt to practice professional nursing, nor use the title, letters, or anything else to indicate that she is a registered nurse unless she is licensed under Wis. Stat. § 441.06.

3. By the conduct described above, Respondent violated Wis. Stat. § 441.06(4) by practicing as a registered nurse in Wisconsin without a license.

ORDER

1. The attached Stipulation is accepted.

2. Unless and until Respondent is properly licensed as a registered nurse by the Wisconsin Board of Nursing, Respondent is enjoined and prohibited from practicing professional nursing, using the title "Registered Nurse" or letters "R.N.", or otherwise indicate that she is a registered nurse in the state of Wisconsin.

3. If the Department determines that there is probable cause to believe that Respondent has violated any terms of this Administrative Injunction, the Department may refer the violations covered by this decision and order to any appropriate prosecutorial unit for review for possible criminal charges.

4. Violations of this special order may result in a forfeiture of up to \$10,000 for each day of violation, pursuant to Wis. Stat. § 440.21(4)(a).

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: A. Rohmeyer 7/14/2022
Aloysius Rohmeyer, Chief Legal Counsel
On behalf of the Department Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

AMBER R. WILKERSON,
RESPONDENT.

:
:
:
:

STIPULATION
ORDER 0008039

Division of Legal Services and Compliance Case No. 22 UNL 044

Respondent Amber R. Wilkerson and the Division of Legal Services and Compliance (Division), Department of Safety and Professional Services (Department), stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division. 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 Administrative Injunction by the Department. The parties to the Stipulation consent to the entry of the attached Administrative Injunction without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Administrative Injunction, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division for further proceedings. In the event that the Stipulation is not accepted by the

Department, the parties agree not to contend that the Department 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 for the Department may appear before the Department for the purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on this Stipulation.

7. Respondent is informed that should the Department adopt this Stipulation, the Department's Administrative Injunction is a public record and will be published in accordance with standard Department procedure.

8. Respondent is further informed that should the Department adopt this Stipulation, the Department's Administrative Injunction 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 joins Respondent in recommending the Department adopt this Stipulation and issue the attached Administrative Injunction.



Amber R. Wilkerson, Respondent
Spring Green, WI 53588

7/12/2022
Date



Carley J. Peich Kiesling, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

07/14/2022
Date