

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE LICENSE OF

LORI CLUCK, L.P.N.,  
LICENSEE.

:  
: FINAL DECISION AND ORDER  
: FOR REMEDIAL EDUCATION  
: **ORDER 0008088**

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Division of Legal Services and Compliance Case No. 20 NUR 061

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

Lori Cluck, L.P.N.,  
New Smyrna Beach, FL 32168

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 Wisconsin 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, Conclusion of Law, and Order.

FINDINGS OF FACT

1. Lori Cluck, L.P.N. (Licensee), (Year of Birth: 1967) is not licensed in the state of Wisconsin as a practical nurse. However, at all times relevant to this matter, Licensee possessed a Missouri nursing license with multistate privileges (license number 2009005482), first issued February 22, 2017.<sup>1</sup> Pursuant to the Nurse Licensure Compact (Compact) Licensee may practice in Wisconsin using her multistate privileges.

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<sup>1</sup> This license was converted to a single state license on June 21, 2021 after Licensee was issued a multistate license in Georgia.

2. Licensee's address on record with the Department of Safety and Professional Services is in Bruce, Wisconsin 54819. Upon information and belief, Licensee's current address is in New Smyrna Beach, Florida 32168.

3. At all times relevant to this proceeding, Licensee was employed as a practical nurse at a nursing home in Ladysmith, Wisconsin (Facility).

4. On January 23, 2020, Licensee used her cell phone to take a photograph of a Facility resident sleeping in an unusual position and sent it to the Facility Director of Nursing with the caption "spread out like a frog."

5. The Facility conducted an investigation during which Licensee acknowledged taking and sending the photo in a poor attempt at humor.

6. The Facility terminated Licensee's employment, notified the resident's family, and provided education to other staff.

7. In resolution of this matter, Licensee consents to the entry of the following Conclusion of Law and Order.

#### CONCLUSION OF LAW

1. The Wisconsin Board of Nursing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

#### ORDER

1. The attached Stipulation is accepted.

2. Within six months of the date of this Order, Licensee shall at her own expense take and successfully complete three hours of education on the topic of patient rights/dignity and three hours of education on professionalism, as follows:

- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
- b. Licensee shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
- c. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Licensee. The monitoring liaison may consider the topic availability and/or hours of

education when determining if a change to the ordered education should occur.

- d. None of the education completed pursuant to this requirement may be used to satisfy any education requirements that have been or may be instituted by the Board or Department.

3. Request for approval of courses and proof of successful course completion shall be sent by Licensee to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-2112; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

Licensee may also submit this information online at: <https://dspsmonitoring.wi.gov>

- 4. This Order is effective on the date of its signing.

WISCONSIN BOARD OF NURSING

by: Robert Weimer, RN-CCNP  
A Member of the Board

8/11/2022  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE LICENSE OF  
LORI CLUCK, L.P.N.,  
LICENSEE.

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:  
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STIPULATION

**ORDER 0008088**

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Division of Legal Services and Compliance Case No. 20 NUR 061

Lori Cluck, L.P.N. (Licensee) 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. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

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

7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education is a public record and will be published in accordance with standard Department procedure.

8. Licensee is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education 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 Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order for Remedial Education.

Lori Cluck, L.P.N.  
Lori Cluck, L.P.N., Licensee  
New Smyrna Beach, FL 32168  
Missouri Multistate License No. 2009005482

5/29/22  
Date

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

June 16, 2022  
Date