

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

NICOLE M. RIESTERER, R.N.,
RESPONDENT.

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:
:

INTERIM ORDER

ORDER 0008-16

Division of Legal Services and Compliance Case No. 22 NUR 022

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

Nicole M. Riesterer, R.N.
Appleton, WI 54911

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 agree to the terms and conditions of the attached Stipulation as an Interim Order in 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, Conclusion of Law, and Order.

FINDINGS OF FACT

1. Respondent Nicole M. Riesterer, R.N., (Year of Birth: 1979) is licensed in the state of Wisconsin to practice as a registered nurse with multistate privileges pursuant to the Nurse Licensure Compact (Compact), having license number 169505-30, first issued on August 5, 2009, with registration current through February 29, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Appleton, Wisconsin 54911.

2. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a healthcare facility in Howard, Wisconsin (Facility).

3. On June 9, 2022, Respondent was arrested in Brown County for diverting medication from the Facility.

4. On June 10, 2022, Respondent was charged in Brown County Circuit Court of one count of Possession of Narcotic Drugs, in violation of Wis. Stat. § 961.41(3g)(am), a felony and one count of Theft-Movable Property-Special Facts, in violation of Wis. Stat. § 943.20(1)(a), a felony.

5. The Board has not made a determination as to the validity of the above allegations.

6. Respondent has voluntarily agreed not to practice as a registered nurse in the state of Wisconsin, or in any other state pursuant to her multistate privileges, pending the investigation and final resolution of this disciplinary matter.

CONCLUSION OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07, and has authority to enter into this stipulation for an Interim Order pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Respondent's license to practice as a registered nurse in the state of Wisconsin (license no. 169505-30) is **SUSPENDED** during the pendency of this disciplinary matter.

3. The suspension shall continue until the Board issues a Final Decision and Order in this disciplinary matter.

4. 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.

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

WISCONSIN BOARD OF NURSING

By: De. Rohmeyer **DSPS Chief Legal Counsel,** 8/16/2022
A Member of the Board **Delegates** Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

NICOLE M. RIESTERER, R.N.,
RESPONDENT.

:
:
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:
:

STIPULATION
FOR INTERIM ORDER

ORDER 0008-16

Division of Legal Services and Compliance Case No. 22 NUR 022

Respondent Nicole M. Riesterer, R.N., 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.
2. 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.
3. Respondent neither admits nor denies the allegations in this matter, but agrees to the adoption of the attached Interim Order by the Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Interim 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.
4. 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 be returned to the Division of Legal Services and Compliance for further proceedings. In the event that this 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.
5. 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 a case advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, if any, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such case advisor may vote on whether the Board should accept this Stipulation and issue the attached Interim Order.
6. Respondent is informed that should the Board adopt this Stipulation, the Board's Interim Order is a public record and will be published in accordance with standard Department procedure.

7. The Division of Legal Services and Compliance joins Respondent in recommending that the Board adopt this Stipulation and issue the attached Interim Order.

Nicole Riesterer

07 / 25 / 2022

Nicole M. Riesterer, R.N., Respondent
Appleton, WI 54911
License No. 169505-30

Date

Alicia Kennedy

July 26, 2022

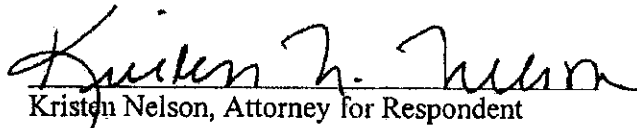
Alicia Kennedy, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

Date

7. The Division of Legal Services and Compliance joins Respondent in recommending that the Board adopt this Stipulation and issue the attached Interim Order.

Nicole M. Riesterer, R.N., Respondent
Appleton, WI 54911
License No. 169505-30

Date



Kristen Nelson, Attorney for Respondent
Gimbel, Reilly, Guerin & Brown, LLP
330 East Kilbourn Avenue, Suite 1170
Milwaukee, WI 53202

Date

8/2/2022

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