

## 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 DISCIPLINARY  
PROCEEDINGS AGAINST

MARGARET C. CINA, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0008195**

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Division of Legal Services and Compliance Case No. 21 NUR 654

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

Margaret C. Cina, R.N.  
Cashton, WI 54619

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 Margaret C. Cina, R.N., (Year of Birth 1988) is licensed in the state of Wisconsin as a registered nurse, with multistate privileges pursuant to the Nurse Licensure Compact (Compact), having license number 235515-30, first issued on June 7, 2017, and current through February 29, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Cashton, Wisconsin 54619.

2. At all times relevant to the proceeding, Respondent was employed as a registered nurse at a veteran's hospital in Tomah, Wisconsin (Hospital).

3. On several occasions between September 2018 to October 2019, Patient A (male born in 1979) was admitted into the Residential Recovery Treatment Program (RRTP), a mental health program, at the Hospital. Respondent provided nursing services to Patient A while Patient A was in RRTP.

4. Respondent entered into a personal relationship with Patient A while he was an RRTP patient at the Hospital. During this time, Respondent and Patient A spent time together outside of the hospital for personal reasons.

5. On October 30, 2019, while investigating the allegations of Respondent's personal relationship, the Hospital interviewed Patient A. Patient A reported that he and Respondent would exchange messages via social media in the evenings while she was not working "about wanting to get together and date." Patient A stated he and Respondent spent time together outside of the Hospital, the first time at a hotel room in La Crosse weeks before he graduated from RRTP. He added that they met and spent time with her children and that he and Respondent had been to one another's homes. Patient A also stated that Respondent talked to him about her thoughts of self-harm.

6. Respondent resigned from the Hospital in an email on October 30, 2019.

7. On December 28, 2020, the Hospital sent Respondent an "Intent to Report" letter informing Respondent of their intention to report to the Department allegations of her engagement in a dual, sexual relationship with an RRTP patient to whom she provided nursing care.

8. On February 8, 2021, Respondent submitted a response to the Hospital's "Intent to Report" letter and admitted the following:

- a. Respondent violated boundaries by engaging in a relationship with Patient A, but it did not occur while Patient A was actively in treatment, and it was not a sexual relationship.
- b. Respondent spent time with Patient A outside of the Hospital, including providing him with gas money, furniture, and other household items to assist him with setting up a new residence. Respondent also assisted Patient A by recording videos of his training with his service dog.
- c. Respondent claimed the last time she spoke to Patient A outside of treatment was through "angry texts" in August 2019.
- d. The relationship occurred for approximately one year from September 2018 to August/September 2019.

9. On November 1, 2021, the Department received the complaint from the Hospital and opened this case to investigate the allegations. Respondent admitted the following in response to the Department's investigation:

- a. Respondent engaged in a personal relationship with Patient A beginning in 2018 and continued through Patient A's multiple admissions and discharges from treatment programs at the Hospital.
- b. Between Patient A's hospital admissions, this relationship became sexual for a brief amount of time.
- c. Patient A visited Respondent's home on two occasions: once to be present for a cable installation and another time for dinner with Respondent's family.
- d. The relationship ended when Patient A relapsed and was admitted to the Hospital program a third time in the summer of 2019.
- e. Respondent's last communication with Patient A was via social media on August 4, 2020.
- f. Respondent described a history of mental and physical trauma that may have contributed to her lack of judgment in this matter.

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 failed to establish, maintain, or communicate professional boundaries with the patient within the meaning of Wis. Admin. Code § N 7.03(4)(e)1.a.

3. By the conduct described in the Findings of Fact, Respondent engaged in a relationship with a patient that could impair Respondent's professional judgment within the meaning of Wis. Admin. Code § N 7.03(4)(e)1.b.

4. By the conduct described in the Findings of Fact, Respondent engaged in a dual relationship in mental health nursing within the meaning of Wis. Admin. Code § N 7.03(4)(e)1.e.

5. By the conduct described in the Findings of Fact, Respondent engaged in sexual misconduct by evincing sexually explicit conduct, sexual contact, exposure, gratification, or other sexual behavior with or in the presence of a patient within the meaning of Wis. Admin. Code § N 7.03(4)(f)1.a.

6. For the purposes of defining and identifying sexual misconduct, nurses are prohibited from engaging in or attempting to engage in sexual or seductive conduct with former mental health patients, including patients with substance use disorders, for a period of at least two years after termination of nursing services within the meaning of Wis. Admin. Code § N 7.03(4)(f)2.

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

#### ORDER

1. The attached Stipulation is accepted.
2. The registered nurse license issued to Respondent (license 235515-30) in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact (Compact), is 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 paragraph 4 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 with a pre-approved psychiatrist or psychologist (Evaluator) who has not provided treatment to Respondent and is experienced in evaluating whether a health care professional is fit to practice:
  - a. Prior to evaluation, Respondent shall provide a copy of this Final Decision and Order to the Evaluator.
  - b. Respondent shall identify and provide the Evaluator 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 the evaluation, a written report regarding the results of the assessment 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 Department to obtain records of the evaluation, and to discuss Respondent and her case with the Evaluator. Respondent shall execute all releases necessary to permit disclosure of the final evaluation report to the Board or its designee. Certified copies of the final evaluation report shall be admissible in any future proceeding before the Board.

- e. If the Evaluator determines that Respondent is not fit to practice or is fit for practice with limitations, the Board or its designee may continue the suspension of 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 the Evaluator determines 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 conduct set out in the Findings of Fact and to address any recommendations resulting from the evaluation, including, but not limited to:
  - i. Psychotherapy, at Respondent's expense, by a therapist approved by the Board or its designee, to address specific treatment goals, with quarterly reports to the Board by the therapist.
  - 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 evaluation 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 \$847.00.

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  
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>.

7. Should Respondent have a Wisconsin multistate license pursuant to the Compact, Respondent may not practice in any Compact state, other than Wisconsin, while Respondent's license is encumbered by any term(s) of this Order.

8. In the event Respondent violates any term of this Order, Respondent's license (235515-30), 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 Weinman TW-LCHP  
A Member of the Board of Nursing

10/13/2022  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MARGARET C. CINA, R.N.,  
RESPONDENT.

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STIPULATION

**ORDER 0008195**

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Division of Legal Services and Compliance Case No. 21 NUR 654

Margaret C. Cina, 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



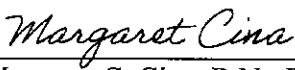
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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.

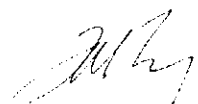
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. 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.

  
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Margaret C. Cina, R.N., Respondent  
Cashton, WI 54619  
License No. 235515-30

9/23/2022  
\_\_\_\_\_  
Date

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

9/23/22  
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Date