

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

SHAWNTEA G. HAMILTON, L.P.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0008295

Division of Legal Services and Compliance Case No. 22 NUR 173

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

Shawntea G. Hamilton, L.P.N.
Milwaukee, WI 53212

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 Shawntea G. Hamilton, L.P.N., (Year of Birth 1993) is licensed in the state of Wisconsin as a licensed practical nurse, with multi-state practice privileges pursuant to the Nurse Licensure Compact (Compact), having license number 324944-31, first issued on March 10, 2020, 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 Milwaukee, Wisconsin 53212.¹

¹ Upon information and belief, Respondent may be currently residing in Detroit, Michigan 48210.

2. At all times relevant to this matter, Respondent also held licenses to practice nursing in Texas and Michigan.

3. On March 8, 2022, the Department received notification that Respondent's Texas nursing license had been revoked for failure to respond to the Texas Board of Nursing's inquiries about discipline Respondent received in Michigan.

4. The State of Michigan Department of Licensing and Regulatory Affairs Bureau of Professional Licensing, Board of Nursing (Michigan Board) issued a Final Order dated May 12, 2021, wherein Respondent's nursing license was placed on probation for a minimum of one (1) year and she was required to complete continuing education courses on the topics of disciplinary actions, ethics, and critical thinking skills (Michigan Order).

5. The basis for the Michigan Order was as follows:

- a. Respondent worked as a home health nurse for a home health agency located in Brookdale, Michigan.
- b. Respondent submitted late nursing notes to her employer on January 27, 2018, for patient visits on December 8, 2017, December 12, 2017, and December 15, 2017. The nursing notes were required in order for Respondent to receive payment.
- c. At a meeting with management on January 31, 2018, Respondent admitted she did not visit or treat the patient on the days she charted and that she knew it was wrong but did it anyway. Respondent admitted she was aware the patient died on December 7, 2017. She further admitted she used old vital sign readings for the three falsified visit dates.
- d. On February 1, 2018, the employer terminated Respondent's employment and reported her to the Michigan Board.

6. 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 had a license to practice nursing or a nurse licensure compact privilege to practice denied, revoked, suspended, limited, or had a credential holder otherwise disciplined in another state, territory, or country, within the meaning of Wis. Admin. Code § N 7.03(1)(b).

3. By the conduct described in the Findings of Fact, Respondent intentionally made incorrect entries in a patient's medical records or other related documents, within the meaning of Wis. Admin. Code § N 7.03(5)(b).

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

ORDER

1. The attached Stipulation is accepted.
2. Respondent's license to practice as a practical nurse (license no. 324944-31) in the state of Wisconsin is LIMITED as follows:
 - a. Respondent is to maintain full and complete compliance with all terms, limitations, and conditions imposed against her nursing credentials by the Michigan Board.
 - b. Respondent shall provide the Board with a copy of any document issued by the Michigan Board which alters the conditions of Respondent's continued practice of nursing in the state of Michigan, including any document advising reinstatement of full licensure, within 15 days of issuance of document.
 - c. In the event Respondent intends to practice nursing in Wisconsin during the pendency of this Order, Respondent shall provide the Board with notice in writing at least 30 days prior to the commencement of practice in Wisconsin. That notice shall include identity of the employer, work location(s) including addresses and phone numbers, and the type of practice.
 - d. The Board may require additional limitations be imposed on Respondent's Wisconsin credentials based on any limitations or conditions imposed by the Michigan Board, Respondent's compliance therewith, and anticipated scope of practice in Wisconsin.
 - e. A determination by the Michigan Board that Respondent has violated any term, limitation, and/or condition imposed on her Michigan nursing license is a violation of this Order.
 - f. Upon Respondent providing proof sufficient to the Board, or its designee, that she has successfully complied with all terms and conditions imposed by the Michigan Board, and that her Michigan license has been restored to full, unrestricted status, the limitation(s) imposed by this Order on Respondent's practice of nursing in Wisconsin shall be removed.
5. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$488.00.
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. Pursuant to Wis. Stat. § 441.51(5)(b), Respondent's multistate licensure privilege to practice under her Wisconsin license 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 (license no. 324944-31), 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: 
A Member of the Board of Nursing

12/8/2022
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SHAWNTEA G. HAMILTON, L.P.N.,
RESPONDENT.

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STIPULATION

ORDER 0008295

Division of Legal Services and Compliance Case No. 22 NUR 173

Respondent Shawntea G. Hamilton, L.P.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. 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

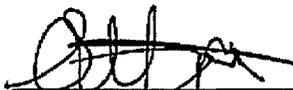
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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.



Shawntea G. Hamilton, L.P.N., Respondent
Milwaukee, WI 53212
License No. 324944-31

11/3/22

Date



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

November 4, 2022

Date