

## 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 :  
JACOB P. MAST, L.P.N., : FINAL DECISION AND ORDER  
LICENSEE. : FOR REMEDIAL EDUCATION  
:

**ORDER 0008296**

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Division of Legal Services and Compliance Case No. 20 NUR 316

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

Jacob P. Mast, L.P.N.  
Neenah, WI 54956

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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Jacob P. Mast, L.P.N., (Licensee), (Year of Birth 1993) is licensed in the state of Wisconsin as a practical nurse, having license number 321651-31, first issued on April 10, 2017 and current through April 30, 2023. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Neenah, Wisconsin 54956.

2. At all times relevant to this proceeding, Licensee was employed as a practical nurse through a staffing company at a nursing home in Oneida, Wisconsin.

3. Licensee was assigned to provide one-on-one care to a 97-year-old female resident who was recovering from a hip fracture, had dementia, and was known to fixate on the need to go to the bathroom. Many times, the resident would ask to use the bathroom 15 minutes after a visit to the bathroom.

4. Licensee was frustrated with the resident and stated to another staff member during shift change that he would leave her on the toilet his whole shift because that was the resident's routine before she broke her hip.

5. On June 15 and 16, 2020, Licensee was observed using profanity towards the resident and refusing to assist the resident to the toilet. Staff members reported that Licensee commented that he would leave the resident on the toilet until she begged and pleaded to get off. Licensee was observed using force to remove the resident from the toilet once Licensee believed that the resident had been on the toilet long enough. The resident became angry and agitated, swinging and kicking at Licensee, and using profanity.

6. Once Licensee was removed from the resident's care, the resident's mood improved and there were no further reports of combativeness.

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

#### CONCLUSIONS 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 (6) months of the date of this Order, Jacob P. Mast, L.P.N. shall at his own expense take and successfully complete four (4) hours of education on the topic of caring for cognitively impaired patients and three (3) hours of education on the topic of ethics and 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. 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.
- c. 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. 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.

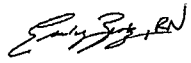
3. Request for approval of course(s) and proof of successful course completion shall be sent by Licensee to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

Licensee may also submit this information here: <https://dpsmonitoring.wi.gov>.

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

WISCONSIN BOARD OF NURSING

By:   
\_\_\_\_\_  
A Member of the Board

12/8/2022  
\_\_\_\_\_  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE LICENSE OF :  
: STIPULATION  
JACOB P. MAST, L.P.N., :  
LICENSEE. : ORDER 0008296

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Division of Legal Services and Compliance Case No. 20 NUR 316

Licensee Jacob P. Mast, 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. 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.

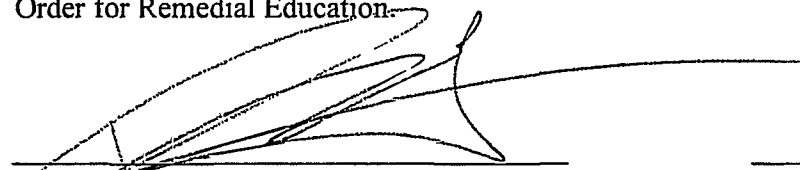
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by 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 or Licensee's attorney, 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.

  
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Jacob P. Mast, L.P.N., Licensee  
Neenah, WI 54956  
License No. 321651-31

Date 11/8/22

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

Date 11/9/2022