

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 :
 :
ALYSSA M. GATES, R.N., : FINAL DECISION AND ORDER
RESPONDENT. : ORDER 0008160
 :

Division of Legal Services and Compliance Case Nos. 20 NUR 003, 22 NUR 417, & 22 NUR 504

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

Alyssa M. Gates, R.N.
Superior, WI 54880

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 Alyssa M. Gates, R.N., (Year of Birth 1982) is licensed in the state of Wisconsin as a registered nurse, having license number 224681-30, first issued on July 30, 2015, and current through February 29, 2024. On September 8, 2022, Respondent's license was suspended per Board Interim Order Number 0008160.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is Superior, Wisconsin 54880. Per Wisconsin court records, Respondent's current address is Duluth, Minnesota 55805.

20 NUR 003

3. On April 29, 2013, Respondent was convicted in Sherburne County (Minnesota) Case Number 71-CR-12-1173 of one count of wrongfully obtaining assistance, a misdemeanor, in violation of M.S. § 256.98.1(1). Respondent falsely claimed that she had not been employed for the prior 12 months on three applications for emergency assistance and food, which resulted in her wrongfully receiving food and emergency assistance in the amount of \$2,249.87.

4. On July 1, 2015, Respondent submitted an application to the Department for a Wisconsin registered nurse license. On the application, Respondent answered “No.” to the question “Have you ever been convicted of a misdemeanor or a felony, or do you have any felony or misdemeanor charges pending against you?”

5. On February 12, 2016, Respondent signed a Participation Agreement and Monitoring Plan with the Minnesota Health Professionals Services Program (HPSP) for the monitoring of her mental health issues and opiate substance use disorder.

6. On April 6, 2017, the Minnesota Board of Nursing (Minnesota Board) issued a Consent Order that suspended Respondent’s nursing license. The suspension was stayed as long as Respondent complied with the terms and conditions of the Consent Order, which included continued participation in the HPSP, compliance with all the terms and conditions of her HPSP Participation Agreement, and quarterly reports from her nursing supervisor. The Consent Order was entered after the Minnesota Board discovered Respondent failed to disclose her April 29, 2013, misdemeanor conviction on a Minnesota license renewal application submitted on November 14, 2014.

7. On August 31, 2017, the Minnesota Board issued an Order of Removal of Stay of Suspension which removed the stay of suspension included in the April 6, 2017 Order.

8. On October 5, 2017, the Minnesota Board issued a Consent Order that rescinded the April 6, 2017 Order and suspended Respondent’s license. The Minnesota Board found that Respondent failed to submit to five scheduled toxicology screenings, was discharged from the HPSP for non-compliance, and was unable to practice safely by reason of impairment or mental disorder.

9. On June 13, 2018, the Pennsylvania State Board of Nursing (Pennsylvania Board) issued a Final Adjudication and Order that indefinitely suspended Respondent’s nursing license until she is able to prove that she is fit to practice as a registered nurse with reasonable skill and safety and imposed a civil penalty of \$500. The Pennsylvania Board’s disciplinary action was based on Respondent’s failure to report the Minnesota Board’s 2017 disciplinary action.

22 NUR 417

10. On June 18, 2022, Respondent’s significant other reported to Respondent’s employer (Facility) that Respondent stole narcotics from the Facility. The Facility’s NHA reported the allegations to the police. Police searched Respondent’s residence and discovered a bag of assorted medications. The Facility identified a vial of Lidocaine in the bag which was identified as being from the Facility as it belonged to a former resident.

22 NUR 504

11. According to the Criminal Complaint in Douglas County Circuit Court Case Number 2022CF000219, on June 13, 2022, Respondent punched her 13-year-old child in the head and shoulder. Respondent also punched her significant other in the face several times. Respondent's significant other reported that Respondent was intoxicated at the time. Respondent did not cooperate with law enforcement and was later arrested pursuant to a warrant.

12. On September 16, 2022, subsequent to a plea agreement in Douglas County Circuit Court Case Number 2022CF000219, Respondent pled no contest to one count of Child Abuse – Intentionally Cause Harm, with domestic abuse modifier, a felony, in violation of Wis. Stat. § 948.03(2)(b) and one count of Disorderly Conduct, a misdemeanor, in violation of Wis. Stat. § 947.01(1). The entry of judgment on the Child Abuse – Intentionally Cause Harm charge was deferred for 36 months pursuant to a deferred prosecution agreement. Respondent was convicted of Disorderly Conduct and placed on probation for two years with 60 days of confinement imposed and stayed.

13. 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).

ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER by Respondent of her license to practice as a registered nurse in the state of Wisconsin (license no. 224681-30), as well as her right to renew such license, is accepted.

3. In the event Respondent petitions the Board for reinstatement of her license to practice as a registered nurse in the state of Wisconsin or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$3,261.00, before any petition or application for a credential will be considered by the applicable board or Department.

4. Respondent shall not petition the Board for reinstatement for at least one (1) year from the date of this Order. If the Respondent petitions for reinstatement after one year, whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the sole discretion of the Board and such decision is not reviewable.

5. 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>.

6. This Order is effective beginning ten (10) calendar days from the date of this Order.

WISCONSIN BOARD OF NURSING

By: 
A Member of the Board of Nursing

10/12/2023
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
ALYSSA M. GATES, R.N.,	:	ORDER 0008160
RESPONDENT.	:	

Division of Legal Services and Compliance Case Nos. 20 NUR 003, 22 NUR 417, & 22 NUR 504

Respondent Alyssa M. Gates, 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. 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.

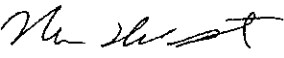
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.


Alyssa M. Gates, R.N., Respondent
Superior, WI 54880
License No. 224681-30

9/28/2023
Date


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

9/29/2023
Date