

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF APPLICATION FOR
A PRACTICAL NURSE LICENSE

KELLY CROWDER,
APPLICANT.

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ORDER GRANTING
LIMITED LICENSE

ORDER 0008438

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

Kelly Crowder
Marshfield, WI 54449

Wisconsin Board of Nursing
P.O. Box 8366
Madison, WI 53705-5125

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. Kelly Crowder, (Applicant) has filed an application for re-registration of a Wisconsin practical nurse license (application no. #722471, credential no. #308921-31).
2. Applicant's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Marshfield, Wisconsin.
3. On June 3, 2011, the Wisconsin Board of Nursing ("Board") issued Final Decision and Order #0000883 ("Order") in case number 11NUR034, suspending Respondent's practical nursing license and imposing terms and conditions on the lifting of the suspension. These terms included the submission of the Order to the Respondent's employer, submission of quarterly work reports to the Department, submission of evidence of attending at least one (1) Narcotics Anonymous or Alcoholics Anonymous meeting per week, for one (1) year, and compliance with a Department approved drug and alcohol monitoring program.
4. The findings of fact in case number 11NUR034 included an admission by the Respondent to diverting Oxycodone from two patients and a diagnosis of opiate dependence.

5. Applicant failed to comply with the terms of the June 3, 2011 Final Decision and Order #0000883, including failing to enroll and participate in an approved drug and alcohol monitoring program.

6. On August 11, 2022, the Board reviewed the evidence the Applicant submitted in support of her application for re-registration including criminal complaints, certificate of completion of Wood County Adult Drug Treatment Court and letters of support from employers.

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

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing 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. §§ 15.08(5)(c) and 227.44(5).

2. The Board may deny a license if the Applicant committed a violation of Wis. Stat. § 441.07(1g).

3. Pursuant to Wis. Admin. Code § N 7.03(1)(g) the Applicant may be denied for violating any term, provision or condition of any order of the Board.

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

ORDER

1. The attached Stipulation is accepted.

2. Limitations upon Applicant's license are necessary to ensure that applicant is fit and competent to practice as a practical nurse. Applicant is granted reinstatement of a practical nurse license subject to the following limitations, terms, and conditions.

3. The practical nurse license issued to Applicant to practice practical nursing in the state of Wisconsin is LIMITED as follows:

AA/NA Meetings

4. Applicant shall attend Narcotics Anonymous and/or Alcoholics Anonymous meetings or an approved equivalent program for recovering professionals, at the frequency of no less than once per week. Attendance of Applicant at such meetings shall be verified by the speaker or chair and reported quarterly to Treater and the Department Monitor.

Practice Limitations

5. Applicant shall provide a copy of this Order and all other subsequent orders immediately to supervisory personnel at all settings where Applicant works as a nurse or care giver or provides health care, currently or in the future. Applicant shall provide Applicant's nursing employer with a copy of this Order before engaging in, or continuing to engage in, any nursing employment. Applicant shall provide the Department Monitor with written acknowledgment from each nursing employer that a copy of this Order has been received. Such acknowledgment shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.

6. Starting thirty (30) days from the date of this Order, Applicant shall arrange for quarterly written reports to be submitted to the Department Monitor from his or her supervisor at each setting in which Respondent practiced nursing in the previous quarter. These reports shall be submitted as directed by the Department Monitor, and shall assess Respondent's work performance, and shall include the number of hours of active nursing practice worked during that quarter. If a report indicates poor performance, the Board may institute appropriate corrective limitations, or may suspend the Applicant's license, in its discretion.

7. Applicant shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

8. Applicant is responsible for compliance with all the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify the Department Monitor of any violations of any of the terms and conditions of this Order by Applicant.

9. Starting thirty (30) days from the date of this Order, Applicant shall submit self-reports to the Department Monitor on a quarterly basis, as directed by the Department Monitor. The reports shall include a summary of Applicant's compliance with the terms and conditions of the Order in the previous quarter, Applicant's current address and home telephone number. The self-report shall not be considered formal change of address notification pursuant to Wis. Stat. § 440.11.

10. Applicant may petition the Board on an annual basis for modification or termination of the terms of this Order, however no such petition for modification or termination shall occur earlier than one (1) year from the date of the initial Order. The Board may grant a petition for full licensure upon a showing by Applicant of continuous, successful compliance for a period of at least one (1) years with the terms of this Order, including at least 600 hours of active nursing practice for each year under a regular limited practical nursing license. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Applicant shall not have a right to any further hearings or proceedings on the denial.

11. Applicant shall be responsible for all costs and expenses incurred in conjunction with compliance with the terms of this Order.

Department Monitor

12: Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, faxed or delivered 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) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

You may also submit this information online via DSPS' Monitoring Case management System, here:

<https://dspsmonitoring.wi.gov/>

13. In the event Applicant violates any term of this Order, Applicant's license, or Applicant's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing. The Board or its designee may terminate the suspension if provided with sufficient information that Applicant is in compliance with the Order and that it is appropriate for the suspension to be terminated. Whether to terminate the suspension shall be wholly in the discretion of the Board or its designee. 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.

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

WISCONSIN BOARD OF NURSING

By: Robert Weimer TW-CCHP
A Member of the Board

3/20/2023
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF APPLICATION FOR
A PRACTICAL NURSE LICENSE

KELLY CROWDER,
APPLICANT.

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STIPULATION

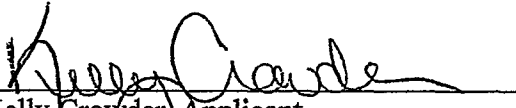
ORDER 0008438

It is stipulated between Applicant and the Wisconsin Board of Nursing as follows:

1. Applicant has filed an application for reinstatement of a practical nurse license.
2. Information received by the Board reflects a basis for denial of the license.
3. Based upon the information of record herein, the Board agrees to issue, and Applicant agrees to accept, an Order lifting the suspension and granting reinstatement of a practical nurse license, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
 - the right to request a hearing related to the denial of the application;
 - the right to confront and cross-examine the witnesses against Applicant;
 - the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
 - the right to testify on Applicant'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 Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
5. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.
6. Applicant agrees to the adoption of the attached Order Granting Limited License by the Board. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, appearance, or consent of the parties.
7. Applicant waives all rights to any appeal of the Board's Order, as adopted in the form as attached.


8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.

9. Applicant is informed that the Order Granting Limited License is an encumbrance as defined by the Enhanced Nurse Licensure Compact (Compact) and the Applicant's multi-state license and/or privilege, if any, will be subject to all terms and conditions of the Compact.



Kelly Crowder, Applicant
Marshfield, WI 54449
Application no. #722471

3-17-2023
Date



A Member of the Wisconsin Board of Nursing
P.O. Box 8366
Madison, WI 53705-5125

3/20/2023
Date