

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE NURSING HOME ADMINISTRATORS EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JENNIFER L. VOSEN, N.H.A.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0008450

Division of Legal Services and Compliance Case No. 21 NHA 066

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

Jennifer L. Vosen, N.H.A.
Reedsburg, WI 53959

Wisconsin Nursing Home Administrators Examining Board
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 Nursing Home Administrators Examining Board (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 Jennifer L. Vosen, N.H.A., (Year of Birth 1976) is licensed in the state of Wisconsin as a nursing home administrator, having license number 3891-65, first issued on September 7, 2016 and current through June 30, 2024.¹ Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Reedsburg, Wisconsin 53959.

¹ Respondent is also licensed in the state of Wisconsin as a registered nurse, having license number 132820-30, first issued on July 30, 1999 and current through February 29, 2024.

2. At all times relevant to this proceeding, Respondent was employed as a nursing home administrator at a county healthcare center in Reedsburg, Wisconsin (Center).

3. On October 6, 2021, the Center began an investigation into allegations raised by a former Center employee against Respondent.

4. The Center's investigation found sufficient evidence that Respondent violated Center policies by coming to work under the influence of alcohol and failing to take appropriate remedial action after accidentally sending a nude picture of herself to a subordinate employee while intoxicated.

5. After a Center resident tested positive for COVID-19, Respondent called a Center employee and told the employee she did not need to come into work. Respondent was slurring her words during the conversation. Respondent drove in to work and was noted to have trouble standing without support. Respondent admitted to having one or two glasses of wine before coming to work but stated she was not too intoxicated to drive. Respondent also admitted to drinking excessively at work conferences and fundraising events.

6. Respondent admitted that she sent a picture of her breasts to a Center supervisor's cell phone. When the supervisor discussed it with her, Respondent said "Oh you know how it is when you have too many glasses of wine." Respondent reported she had most likely been drinking when she sent the photo and did not mean to send it.

7. On November 8, 2021, Respondent resigned her employment at the Center after she was informed that her termination was recommended pending a just cause hearing.

8. 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. § 456.10 and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Based on the Findings of Fact, Respondent engaged in unprofessional conduct pursuant to Wis. Admin. Code § NHA 5.02(1) by violating in a negligent manner, by an act or acts of omission or commission, or aiding or abetting the violation of any law substantially relating to the practice of nursing home administration. Pursuant to Wis. Stat. § 111.36(1), employment discrimination because of sex includes, but is not limited to, any of the following actions by any employer...or other person: (b) Engaging in sexual harassment.

3. Based on the Findings of Fact, Respondent engaged in unprofessional conduct pursuant to Wis. Admin. Code § NHA 5.02(3) by practicing while impaired by physical, mental or emotional disorder or drug or alcohol use.

4. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 456.10(1)(b), and Wis. Admin. Code § NHA 5.

ORDER

1. The attached Stipulation is accepted.
2. Respondent is REPRIMANDED.
3. Respondent's license to practice as a nursing home administrator in the state of Wisconsin (license number 3891-65) is LIMITED as follows:
 - a. Within ninety (90) days of the date of this Order, Respondent shall, at her own expense, successfully complete four (4) hours of education on the topic of professional boundaries offered by a provider pre-approved by the Board monitoring liaison, including taking and passing any exam offered for the courses.
 - i. Respondent 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.
 - ii. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
 - iii. The Board monitoring liaison may change the number of credit hours and/or education topics in response to a request from Respondent. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
 - iv. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all the ordered education.
 - b. Within sixty (60) days of the date of this Order, Respondent shall, at her own expense, undergo an alcohol and other drug abuse (AODA) assessment with an evaluator pre-approved by the Board or its designee who has experience conducting such assessments.
 - i. Prior to the assessment, Respondent shall provide a copy of this Order to the evaluator. Respondent shall provide the Department Monitor with written acknowledgment from the evaluator that a copy of this Order has been received by the evaluator. Such acknowledgment shall be provided to the Department Monitor prior to the assessment.
 - ii. Respondent shall provide and keep on file with the evaluator current releases complying with state and federal laws. The releases shall allow the Board, its designee, and any employee of the Department to obtain a copy of the assessment. Copies of these releases shall immediately be filed with the Department Monitor.

- iii. 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.
- iv. The Board, or its designee, may impose additional limitations upon Respondent's license based on the results of the assessment and/or the evaluator's recommendations, including but not limited to:
 - AODA treatment and/or attendance at Alcoholics Anonymous meetings
 - AODA monitoring
 - Abstaining from all personal use of alcohol
 - Additional professional education in any identified areas of deficiency
 - Restrictions on the nature or setting of practice, or requirements for an approved professional mentor, with periodic reports to the Board or its designee
- v. Respondent shall comply with the evaluator's recommendations.

4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,275.00.

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://dspsmonitoring.wi.gov>.

6. In the event Respondent violates any term of this Order, Respondent's license (number 3891-65), 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.

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

WISCONSIN NURSING HOME ADMINISTRATORS EXAMINING BOARD

By: 
A Member of the Board

4/7/2023
Date

STATE OF WISCONSIN
BEFORE THE NURSING HOME ADMINISTRATORS EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JENNIFER L. VOSEN, N.H.A.,
RESPONDENT.

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STIPULATION

ORDER 0008457

Division of Legal Services and Compliance Case No. 21 NHA 066

Respondent Jennifer L. Vosen, N.H.A., 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 Nursing Home Administrators Examining Board (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

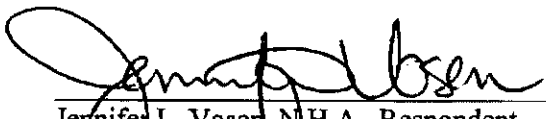
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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.

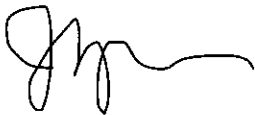
8. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

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.



Jennifer L. Vosen, N.H.A., Respondent
Reedsburg, WI 53959
License No. 3891-65

2/01/2023
Date



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

2/1/2023
Date