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**Before the
State Of Wisconsin
Board of Nursing**

In the Matter of the Disciplinary Proceedings
Against Noelle C. Stone, L.P.N., Respondent.

FINAL DECISION AND ORDER

Order No. **ORDER 0008452**

Division of Legal Services and Compliance Case No. 21 NUR 721


The State of Wisconsin, Board of Nursing, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, make the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Board of Nursing.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated at Madison, Wisconsin on the 13 day of April, 2023.



Member
Board of Nursing



**Before the
State of Wisconsin
DIVISION OF HEARINGS AND APPEALS**

In the Matter of Disciplinary Proceedings
Against Noelle C. Stone, L.P.N., Respondent

DHA Case No. SPS-22-0053
DLSC Case No. 21 NUR 721

PROPOSED DECISION AND ORDER

The parties to this proceeding for purposes of Wis. Stat. §§ 227.47(1) and 227.53 are:

Noelle C. Stone
2304 8th Street
Rockford, IL 61104

Wisconsin Board of Nursing
P.O. Box 8366
Madison, WI 53708-8366

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

PROCEDURAL HISTORY

On August 26, 2022, the Wisconsin Department of Safety and Professional Services, Division of Legal Services and Compliance (Department), Division of Legal Services and Compliance (Division) filed a formal Complaint against Noelle C. Stone, L.P.N., (Respondent) alleging the following violations: (1) Respondent had a license to practice nursing suspended in another state pursuant to Wis. Admin. Code § N 7.03(1)(b); (2) Respondent failed to cooperate in a timely manner with the Board's requests and investigation of a complaint filed against the Respondent pursuant to Wis. Admin. Code § N 7.03(1)(c); and (3) Respondent engaged in fraud, deceit, or material omission in obtaining a license or certification or in the renewal of the license or certification pursuant to Wis. Admin. Code § N 7.03(5)(e).

The matter was referred to the Division of Hearings and Appeals for the appointment of a hearing official to preside over the hearing. Administrative Law Judge Kristin P. Fredrick (ALJ) was assigned as the hearing official and a prehearing conference was held on September 28, 2022. The Respondent participated in the prehearing and was granted additional time to file an answer,

which was submitted on October 12, 2022. The Scheduling Order set the matter for an in-person hearing on January 25, 2023. Pursuant to the Scheduling Order, on December 9, 2022, the Division filed and served its witness and exhibit lists. The Respondent was to file and exchange her witness and exhibit lists by December 23, 2022; however, nothing was received by the established deadline.

On the morning of the scheduled January 25, 2023 hearing, the Respondent emailed the ALJ and opposing counsel to request an adjournment of the hearing or, in the alternative, to appear remotely because she resided out-of-state. In addition, the Respondent emailed documentation of prior drug testing and treatment. The Division objected to the untimely adjournment request and the Respondent's request to adjourn was denied; but, the Respondent's request to participate in the hearing remotely was approved. The hearing was held at the Hill Farms State Office Building in Madison, WI with the Respondent participating by telephone.

At the hearing the parties agreed that there was no dispute with respect to the basis for the Department's Complaint. Further, the Respondent did not dispute that the alleged violations subject her to discipline. Accordingly, the parties agreed that the hearing would focus on the parties' respective positions and recommendations for discipline. The parties made arguments in support of recommended sanctions against the Respondent's license. At the close of the hearing the ALJ held the record open to allow the Respondent an opportunity to submit additional documentation in support of her position with respect to discipline. Specifically, the Respondent represented that an AODA assessment was being completed outside of Wisconsin that should negate the necessity of completing a second AODA assessment as sought by the Division's recommended discipline in this matter. The ALJ set a deadline of February 10, 2023 for the Respondent to submit additional documentation post-hearing and a deadline of February 17, 2023 for the Department to submit a response, if any.

However, the Respondent failed to submit additional documentation by the established February 10, 2023 deadline. Instead, on February 15, 2023 the Respondent submitted an email attaching two drug test results (one dated January 12, 2023 was identical to a document she submitted on the day of the January 25, 2023 hearing and a second test result dated January 31, 2023 taken after the January 25, 2023 hearing). In addition, the Respondent submitted an unsigned undated document that referenced, in part, an "Addendum." Regardless, the Respondent did not submit documentation of a completed AODA evaluation she asserted she would make available following the January 25, 2023 hearing. The hearing record was thus closed on February 15, 2023 and includes the following: Division's Notice of Hearing and Complaint; Respondent's Answer; the Division's Exhibits A through E; Affidavit of Shanda Bindl; Respondent's four exhibits; correspondence between DHA and the parties; and the January 25, 2023 hearing transcript.

FINDINGS OF FACT

1. Respondent, Noelle C. Stone, L.P.N. (hereinafter Respondent) is a resident of Rockford, Illinois and is licensed in the State of Wisconsin to practice as a licensed professional nurse (LPN) (license number 326779-31). The Respondent obtained her Wisconsin LPN license

on September 20, 2021, and her license is current through April 30, 2023. (DSPS Complaint, ¶ 1; Respondent Answer, ¶ 1)

2. The Respondent has the following criminal history:

- a. On December 17, 2010, Respondent was convicted in Winnebago County (Illinois), Case No. 2009-DT-90, of one count of Driving Under the Influence, a misdemeanor, in violation of Illinois Statute 625 ILCS 5/11-501(a)(2).
- b. On December 17, 2010, Respondent was convicted in Winnebago County (Illinois), Case No. 2010-DT-104, of one count of Driving Under the Influence, a misdemeanor, in violation of Illinois Statute 625 ILCS/ 5/11-501(a)(2).
- c. On December 29, 2016, Respondent was convicted in Ware County (Georgia), Case No. 2016-ST-SR-564, of one count of Driving Under the Influence, a misdemeanor, in violation of Georgia Statute OCGA §40-6-391(a)(1).
- d. On September 27, 2019, Respondent was convicted in Ogle County (Illinois), Case No. 2019-TR-4407, of one count of Driving on Revoked License, a misdemeanor, in violation of Illinois Statute 625 ILCS 5/6-303.

(DSPS Complaint, ¶ 3; Respondent Answer, ¶ 3; Respondent hearing testimony)

3. On May 3, 2021, the Illinois Department of Financial and Professional Regulation issued an Order suspending Respondent's Illinois LPN license (no. 043.127185) for a minimum period of 12 months based upon a finding that the Respondent had violated the terms of a prior April 23, 2019 Consent Order. (DSPS Exhibits B and C; Respondent hearing testimony, Tr. pp. 22-23).
4. On July 26, 2021, the Respondent submitted an application (Application #775669) for a Wisconsin license to practice as an LPN. (DSPS Complaint, ¶ 6; Respondent Answer, ¶ 6)
5. The Respondent failed to disclose her prior misdemeanor convictions in her application for a Wisconsin license. (DSPS Complaint, ¶ 8; Respondent Answer, ¶ 8; Respondent hearing testimony, Tr. p. 24)
6. The Respondent failed to disclose in her application for a Wisconsin license that another licensing or credentialing agency had taken disciplinary action against her, including the suspension against her Illinois LPN license. (DSPS Complaint, ¶ 7; Respondent Answer, ¶ 7; Respondent hearing testimony)
7. On November 24, 2021, the Department received a complaint alleging Respondent engaged in unprofessional conduct by falsifying information on her LPN application. (DSPS Complaint, ¶ 9; Respondent Answer, ¶ 9; DSPS Exhibit A)
8. The Respondent repeatedly failed to respond to the Department's investigation and requests for information related to the allegations against her. (DSPS Complaint, ¶¶ 10-12;

Respondent Answer, ¶¶ 10-12; Affidavit of Shanda Bindl, ¶¶ 3-9; DSPS Exhibits D and E; Respondent hearing testimony, Tr. p. 24)

9. On August 26, 2022, the Department filed a Notice of Hearing and Complaint with the Division of Hearings and Appeals alleging three violations: Respondent had a license to practice nursing suspended in another state pursuant to Wis. Admin. Code § N 7.03(1)(b); Respondent failed to cooperate in a timely manner with the Board's requests and investigation of a complaint filed against the Respondent pursuant to Wis. Admin. Code § N 7.03(1)(c); and Respondent engaged in fraud, deceit, or material omission in obtaining a license or certification or in the renewal of the license or certification pursuant to Wis. Admin. Code § N 7.03(5)(e). (DSPS Complaint)
10. The Respondent is diagnosed with alcohol use disorder, severe, and participated in alcohol and other drug abuse (AODA) counseling from March 2019 to February 2020. (Respondent hearing testimony; Respondent's Exhibits)
11. The Respondent completed a random drug screen on January 6, 2023 and a phosphatidylethanol (Peth) test for alcohol on January 27, 2023, the results of which were negative for drugs or alcohol. (Respondent hearing testimony; Respondent's Exhibits)
12. The Respondent self-reported maintaining sobriety from alcohol through participation in weekly attendance at alcoholics anonymous (AA) meetings and use of a vehicle equipped with a mandatory breathalyzer ignition interlock device. (Respondent hearing testimony)

DISCUSSION

Burden of Proof

The burden of proof in disciplinary proceedings is on the Division to show by a preponderance of the evidence that the events constituting the alleged violations occurred. Wis. Stat. § 440.20(3); *see also* Wis. Admin. Code § HA 1.17(2). Preponderance of the evidence means that it is "more likely than not" that an action occurred. *See State v. Rodriguez*, 2007 WI App. 252, ¶ 18, 306 Wis. 2d 129, 743 N.W.2d 460, citing *United States v. Saulter*, 60 F.3d 270, 280 (7th Cir. 1995).

Jurisdictional Authority

The Wisconsin Board of Nursing (Board) has jurisdiction over this matter pursuant to Wis. Stat. §§ 441.07(1g) and 441.10(5). Wisconsin Stat. § 440.03(1) provides that the Department "may promulgate rules defining uniform procedures to be used by the department . . . and all examining boards and affiliated credentialing boards attached to the department or an examining board, for . . . conducting [disciplinary] hearings." These rules are codified in Wis. Admin. Code ch. SPS 2 and Wis. Admin. Code § N 7.03.

Violations

Pursuant to Wis. Stat. §§ 441.07(1g)(a), (b) and (d), the Board has the authority to discipline any licensee or license holder for violating the standards of conduct established by the examining board under Wis. Stat. § 440.03(1). Specifically, the Board is authorized to reprimand, limit, suspend or revoke the license of a licensed practical nurse (L.P.N.) under Wis. Stat. § 441.10(5). The Division's Complaint alleged the following: (1) Respondent had a license to practice nursing suspended in another state pursuant to Wis. Admin. Code § N 7.03(1)(b); (2) Respondent failed to cooperate in a timely manner with the Board's requests and investigation of a complaint filed against the Respondent pursuant to Wis. Admin. Code § N 7.03(1)(c); and (3) Respondent engaged in fraud, deceit, or material omission in obtaining a license or certification or in the renewal of the license or certification pursuant to Wis. Admin. Code § N 7.03(5)(e). (Complaint, ¶¶ 15-17). At the start of the hearing in this matter, the parties agreed that the Department's Complaint set forth a basis to discipline the Respondent. (Hearing transcript, pp. 8 and 14)

Under Wis. Admin. Code § N 7.03, the potential grounds for taking disciplinary action on a nursing license, include the following relevant conduct:

(1) Noncompliance with federal, jurisdictional, or reporting requirements including any of the following:

...

(b) Having a license to practice nursing or a nurse licensure compact privilege to practice denied, revoked, suspended, limited, or having the credential holder otherwise disciplined in another state, territory, or country. A certified copy of the record of the board is conclusive evidence of the final action.

(c) After a request of the board, failing to cooperate in a timely manner, with the board's investigation of a complaint filed against a license holder. There is a rebuttable presumption that a credential holder who takes longer than 30 days to respond to a request of the board has failed to cooperate in a timely manner.

...

(5) Fraud, deception or misrepresentation, including any of the following:

...

(e) Fraud, deceit, or material omission in obtaining a license or certification or in the renewal of the license or certification.

Wis. Admin. Code § N 7.03(1)(b), (c) and (5)(e).

The uncontroverted facts establish that the Respondent submitted an application for an LPN license in July 2021, which was approved by the Board in September 2021. (DSPS

Complaint, ¶¶ 1 and 6; Respondent Answer, ¶¶ 1 and 6) The Respondent's application did not report that her nursing license in the state of Illinois had been subject to discipline and also failed to report any prior misdemeanor convictions. (DSPS Complaint, ¶ 7; Respondent Answer, ¶ 7; Respondent hearing testimony; DSPS Exhibit A) Based upon the Respondent's failure to report her noncompliance and discipline from Illinois and the misrepresentation by omission of her prior criminal convictions in her LPN license application to Wisconsin, the Board issued a license to the Respondent. Following receipt of a complaint against the Respondent, the Department initiated an investigation and made repeated requests to the Respondent for additional information on at least four occasions. (DSPS Complaint, ¶¶ 9-12; Respondent Answer, ¶¶ 9-12; Affidavit of Shanda Bindl, ¶¶ 3-9; DSPS Exhibits D and E; Respondent hearing testimony) The Respondent failed to respond to all but one of the Department's requests. (Id)

The Respondent does not dispute that her nursing license was suspended in the State of Illinois following her multiple convictions for operating while intoxicated and due to her violation of the terms of a consent agreement she had previously entered into with the licensing agency in Illinois. (Respondent hearing testimony; DSPS Exhibits B and C) Further, the Respondent does not dispute that she failed to respond to the Department's numerous attempts to obtain information from her during the Board's investigation. (Respondent hearing testimony; Affidavit of Shanda Bindl; DSPS Exhibits D and E) Finally, the Respondent does not dispute that her license application submitted in Wisconsin omitted information related to the prior discipline imposed against her nursing license in Illinois or any of her prior misdemeanor convictions in Illinois and Georgia. (Respondent hearing testimony) The Respondent testified that she had a person assisting her in completing the application, that the Respondent did not read all of the questions, that the Respondent answered some of the questions wrong, and that she signed the paperwork stating that she filled the application out herself but failed to check the accuracy of the information in the application prior to its submission. (Id.)

Based upon the undisputed facts and a preponderance of the evidence, the Division met its burden to demonstrate that the Respondent violated Wis. Admin. Code § N 7.03(1)(b), (c) and (5)(e) and is thus, appropriately subject to discipline under Wis. Stat. §§ 441.07(1g) and 441.10(5).

Appropriate Discipline

The three purposes of discipline are: (1) to promote the rehabilitation of the credential holder; (2) to protect the public from other instances of misconduct; and (3) to deter other credential holders from engaging in similar conduct. *State v. Aldrich*, 71 Wis. 2d 206, 237 N.W.2d 689 (1976).

"Protection of the public is the purpose of requiring a license." *State ex rel. Green v. Clark*, 235 Wis. 628, 631, 294 N.W. 25 (1940). When a license is granted to an individual, the Board is assuring the public that the licensed individual is competent in his or her profession. *Stringez v. Dep't of Regulation & Licensing Dentistry Examining Bd.*, 103 Wis. 2d 281, 287, 307 N.W.2d 664 (1981). It follows that if the Board, via the Department, cannot assure the public of the licensee's competence to practice the profession, then discipline, monitoring, and limitations are appropriate.

Gilbert v. State Medical Examining Bd., 119 Wis. 2d 168, 189–90, 349 N.W.2d 68 (1984).

The Division requests the following discipline: (1) a public reprimand; (2) indefinite suspension that would be stayed subject to the Respondent's compliance with two conditions, including (a) completion of an AODA assessment, and (b) compliance with a two-year impairment order requiring AODA monitoring and drug testing; (3) four hours of education related to the topic of disciplinary actions and nursing; and (4) payment of assessed costs.

Prior Board orders have approved stipulations that included reprimands and monitoring in cases involving a history of abuse of alcohol and/or drugs, and/or criminal conduct. *See In the Matter of Disciplinary Proceedings Against Lisa M. Morgan, R.N.*, Order Number 0003971 (May 4, 2015) (nurse found in possession of multiple hydrocodone and Dilaudid pills without a valid prescription during an OWI stop.)¹ *See also In the Matter of Disciplinary Proceedings Against Tara L. Holman, L.P.N.*, Order Number 0004589 (March 10, 2016) (nurse whose urine drug screen tested positive for morphine, marijuana, and cocaine without a valid prescription and admitted to taking her husband's prescribed morphine for her own tooth pain)² *See also In the Matter of Disciplinary Proceedings Against Erin N. Leitz, R.N.*, Order Number 0007120 (December 10, 2020) (nurse who was apprehended for OWI tested positive for benzoylecgonine and amphetamine and found to have alcohol dependency.)³

The Respondent in the present matter is in agreement with the Division's recommendation for a reprimand. (Respondent hearing testimony) She is also willing to complete 4 hours of education. (Id.) The Respondent testified that she completed AODA treatment two years ago and documentation she submitted established that as of February 2020 she retained a diagnosis of alcohol use disorder, severe. (Id.; Respondent Exhibits) The Respondent further testified that she has maintained her sobriety through participation in multiple weekly AA meetings, and she submitted recent negative drug and alcohol screens to corroborate her sobriety. (Id.) She also testified that the vehicle she operates is required to be equipped with an electronic breathalyzer monitoring system. (Id.) Therefore, the Respondent does not believe that participation in two years of monitoring or an additional AODA assessment and counseling is necessary; but rather, would be duplicative of what she was already required to do in other jurisdiction(s). (Id.) However, despite opportunity to supplement the record post-hearing, the Respondent failed to submit evidence of a recently completed AODA assessment or any documentation of other monitoring conditions she is already required to meet in another jurisdiction. Given the evidence and testimony presented, the Respondent has not convinced me that monitoring and a AODA assessment would be unnecessary or inappropriate.

Based upon the undisputed facts in this case, the testimony provided, and the factors set forth in Aldrich, along with Board precedent, I find that the Division's recommendation for a public reprimand, an indefinite suspension stayed but subject to compliance with a two-year period of monitoring, completion of an AODA assessment, follow through with any treatment

¹ This decision is available online at: <https://online.drl.wi.gov/decisions/2015/ORDER0003971-00011281.pdf>.

² This decision is available online at: <https://online.drl.wi.gov/decisions/2016/ORDER0004589-00012435.pdf>.

³ This decision is available online at: <https://online.drl.wi.gov/decisions/2020/ORDER0007120-00017269.pdf>.

recommendations made as a result of the AODA assessment, and completion of 4 hours of relevant education is reasonable.

Costs

The Board is vested with discretion concerning whether to assess all or part of the costs of this proceeding against Respondent. *See* Wis. Stat. § 440.22(2). In exercising such discretion, the Board must look at aggravating and mitigating facts of the case; it may not assess costs against a licensee based solely on a “rigid rule or invocation of an omnipresent policy,” such as preventing those costs from being passed on to others. *Noesen v. State Department of Regulation & Licensing, Pharmacy Examining Board*, 2008 WI App 52, ¶¶ 30-32, 311 Wis. 2d. 237, 751 N.W.2d 385. In previous orders, Boards considered the following factors when determining if all or part of the costs should be assessed against the Respondent: (1) the number of counts charged, contested and proven; (2) the nature and seriousness of the misconduct; (3) the level of discipline sought by the prosecutor; (4) the respondent’s cooperation with the disciplinary process; (5) prior discipline, if any; (6) the fact that the Department is a “program revenue” agency, whose operating costs are funded by the revenue received from licenses, and the fairness of imposing the costs of disciplining a few members of the profession on the vast majority of the licensees who have not engaged in misconduct; and (7) any other relevant circumstances. *See In the Matter of Disciplinary Proceedings Against Elizabeth Buenzli-Fritz*, LS0802183CHI (Aug. 14, 2008). It is within the Board’s discretion as to which, if any, of these factors to consider, whether other factors should be considered, and how much weight to give any factors considered.

In the present matter, the Division identified three allegations of misconduct by the Respondent. In addition, the Respondent was not cooperative in the investigative process, which sought information related to the Respondent’s prior misconduct and discipline imposed against her in other states following her failure to accurately or completely report the prior misconduct in her application for a Wisconsin LPN license. Using *Noesen* as guidance, considering the Board’s historical reasoning, and considering and applying such reasoning to the above facts, I recommend that full costs of this proceeding should be assessed against Respondent. *See*, Wis. Admin. Code § SPS 2.18.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stat. §§ 441.07 and 441.10(5), and Wis. Admin. Code § N 7.03.
2. Based upon the conduct set forth in the Findings of Fact, Respondent Noelle C. Stone, L.P.N. had her license to practice nursing suspended in another state contrary to Wis. Admin. Code § N 7.03(1)(b).
3. Based upon the conduct set forth in the Findings of Fact, Respondent Noelle C. Stone, L.P.N., failed to cooperate in a timely manner with the Board’s investigation of a complaint filed against her contrary to Wis. Admin. Code § N 7.03(1)(c).

4. Based upon the conduct set forth in the Findings of Fact, Respondent Noelle C. Stone, L.P.N., engaged in fraud, deceit, or material omission in obtaining a license contrary to Wis. Admin. Code § N 7.03(5)(e).
5. As a result of the above conduct, Noelle C. Stone, L.P.N., is subject to discipline pursuant to Wis. Stat. §§ 441.07(1g)(a), (b), (d), 441.10(5), and Wis. Admin. Code § N 7.03.
6. The Division of Hearings and Appeals has authority to preside over this proceeding pursuant to Wis. Stat. § 227.46(1) and Wis. Admin. Code § SPS 2.10(2).

ORDER

1. Respondent is REPRIMANDED.
2. The nursing license issued to Noelle Stone, L.P.N., (license number 326779-31) and her privilege to practice as an L.P.N. in Wisconsin shall be SUSPENDED indefinitely; however, the suspension of the Respondent's license and privilege to practice as an L.P.N. shall be STAYED subject to the Respondent's successful compliance with the following conditions:
 - a. Within 90 days of the date of this Order, Respondent shall at her own expense, successfully complete an Alcohol and Other Drug Abuse (AODA) assessment with a licensed counselor.
 - b. The Respondent shall fully comply with any follow up treatment and/or counseling recommended as a result of the AODA assessment.
 - c. Within 30 days of satisfactorily completing the AODA assessment and recommended treatment required above, Respondent shall submit, to the Department Monitor, proof of successful completion of the conditions imposed herein. Acceptable proof shall be written verification from the counselor and/or institution completing the assessment and providing the recommended treatment, if any.
 - d. For a period of two (2) years from the date of this Order:
 - i. Respondent shall enroll and participate in a drug and alcohol monitoring program which is approved by the Department (Approved Program). Enrollment shall occur within thirty (30) calendar days from the date of this Order.
 - ii. At the time Respondent enrolls in the Approved Program, Respondent shall review all of the rules and procedures made

available by the Approved Program. Failure to comply with all requirements for participation in drug monitoring established by the Approved Program is a substantial violation of this Order. The requirements shall include:

1. Contact with the Approved Program as directed on at least a weekly basis, or as determined by the Approved Program.
 2. Production of a urine, blood, sweat, fingernail, hair, saliva, or other specimen at a collection site designated by the Approved Program within five (5) hours of notification of a test.
 3. The Approved Program shall require the random testing of specimens at a frequency of not less than two (2) times per month, for at least the first six months of this Order.
- iii. Respondent shall abstain from all personal use of controlled substances as defined in Wis. Stat. § 961.01(4), except when prescribed, dispensed, or administered by a practitioner for a legitimate medical condition.
- iv. All positive test results are presumed valid and may result in automatic suspension of licensure by the Board or the Board's designee. Respondent must prove by a preponderance of the evidence an error in collection, testing, fault in the chain of custody or other valid defense.
- v. If any urine, blood, sweat, fingernail, hair, saliva, or other specimen is positive or suspected positive for any alcohol or controlled substances, Respondent shall promptly submit to additional tests or examinations as the Board or its designee shall determine to be appropriate to clarify or confirm the positive or suspected positive test results.

3. In the event Respondent violates any term of this Order, Respondent's license (326779-31), 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 in its discretion may in the alternative impose additional conditions and limitations or other additional discipline and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 326779-31) may, in the discretion of the

Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs and completion of the conditions set forth above.

4. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

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

IT IS FURTHER ORDERED that Respondent pay recoverable costs incurred in this matter in an amount to be determined, pursuant to Wis. Admin. Code § SPS 2.18. After the amount is established, payment shall be made by certified check or money order payable to the Wisconsin Department of Safety and Professional Services and sent to the address listed in paragraph 4 above.

IT IS FURTHER ORDERED that the terms of the Order are effective the date the Final Decision and Order in this matter is signed by the Board.

Dated at Madison, Wisconsin on March 7, 2023.

STATE OF WISCONSIN
DIVISION OF HEARINGS AND APPEALS
4822 Madison Yards Way, 5th floor
Madison, Wisconsin 53705
Tel. (608) 264-7980
Fax: (608) 264-9885

By: _____

Kristin P. Fredrick
Administrative Law Judge