

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE PHYSICIAN ASSISTANT AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
NICOLE B. LAABS, P.A.,	:	
RESPONDENT.	:	ORDER 0008659

Division of Legal Services and Compliance Case No. 22 PAB 018

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

Nicole B. Laabs, P.A.
Milwaukee, WI 53207

Wisconsin Physician Assistant Affiliated Credentialing 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 Physician Assistant Affiliated Credentialing 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 Nicole B. Laabs, P.A., (Year of Birth 1984) is licensed in the state of Wisconsin as a physician assistant, having license number 2677-23, first issued on September 24, 2010 and current through February 29, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Milwaukee, Wisconsin 53207.

2. At all times relevant to this proceeding, Respondent worked as a physician assistant at a pain management clinic located in Milwaukee, Wisconsin (Clinic).

3. Respondent saw Patient A, a male born in 1973, as a new patient beginning on March 7, 2014. Respondent continued to see Patient A for care and treatment at the Clinic through May 18, 2022.

4. On June 20, 2022, one of Respondent's co-workers reported to Clinic management that Respondent was having a relationship with Patient A.

5. On June 22, 2022, Respondent confirmed to Clinic management that she was in a personal relationship with Patient A and had exchanged sexually explicit text messages with him. Respondent confirmed to Clinic management that after May 19, 2022, Patient A reached out to Respondent via text message and asked for advice on personal life questions including co-parenting, personal finances, intimate relationship issues and physical difficulties that can develop from various medical conditions.

6. Respondent was required to complete continuing education courses on professional boundaries as follows:

- a. Guidance on Professional Boundaries and Sexual Misconduct for 2.0 credit hours, and
- b. PBI Complete Professional – Navigating Professional Boundaries in Medicine from the University of California, Irvine School of Medicine for 2.0 credit hours.

7. 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. § 448.978 and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § PA 4.01(2)(f) (Emergency Rules) by engaging in sexually explicit conduct, sexual contact, exposure, gratification, or other sexual behavior with or in the presence of a patient, a patient's immediate family, or a person responsible for the patient's welfare. For the purposes of this paragraph, an adult receiving treatment shall be considered a patient for two years after the termination of professional services. Wis. Admin. Rule § PA 4.01(2)(f)2.

3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 448.978(2)(b) and (d).

ORDER

1. The attached Stipulation is accepted.
2. Respondent is REPRIMANDED.

3. Respondent's license to practice as a physician assistant in the state of Wisconsin (license no. 2677-23), is LIMITED as follows:

- a. Within twelve (12) months of the date of this Order, Respondent shall at Respondent's own expense take and successfully complete the *Medical Ethics, Boundaries, and Professionalism* course offered by the Case Western Reserve University of School for Medicine for a total of 15.75 AMA PRA Category 1 Credits.
- b. 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. 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.

4. Respondent's license to practice as a physician assistant in the state of Wisconsin (license no. 2677-23), is FURTHER LIMITED for a period of two (2) years as follows:

- a. Respondent is prohibited from conducting examinations of any male patients without a chaperone being present and the presence of the chaperone must be documented in the patient health care record.
- b. This limitation does not apply to in-person office visits where a physical examination is not performed nor does this limitation apply to visits conducted via telemedicine.
- c. This limitation shall be removed from Respondent's license after successful demonstration by Respondent of compliance after two (2) years.

5. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$844.00.

6. 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://dspsmmonitoring.wi.gov>.

7. In the event Respondent violates any term of this Order, Respondent's license (number 2677-23) 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.

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

WISCONSIN PHYSICIAN ASSISTANT AFFILIATED CREDENTIALING BOARD

By:  _____
A Member of the Board

7/20/23
Date

STATE OF WISCONSIN
BEFORE THE PHYSICIAN ASSISTANT AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

NICOLE B. LAABS, P.A.,
RESPONDENT.

STIPULATION

ORDER 0008659

Division of Legal Services and Compliance Case No. 22 PAB 018

Respondent Nicole B. Laabs, P.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. Respondent is represented by Attorney Michael Hart.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Physician Assistant Affiliated Credentialing 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 or Respondent'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.

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.

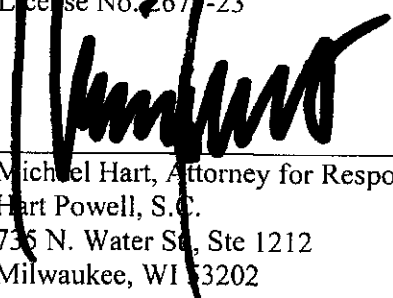
9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Nicole B. Laabs, R.A., Respondent
Milwaukee, WI 53207
License No. 2671-23

5/24/23


Date



Michael Hart, Attorney for Respondent
Hart Powell, S.C.
736 N. Water St., Ste 1212
Milwaukee, WI 53202

May 24, 2023

Date



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

June 13, 2023

Date