

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 :
 :
SHELLIE L. RICHARDS, R.N., : FINAL DECISION AND ORDER
RESPONDENT. :
 : **ORDER 00088 15**

Division of Legal Services and Compliance Case No. 23 NUR 512

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

Shellie L. Richards, R.N.
Janesville, WI 53545

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. Shellie L. Richards, R.N. (Respondent), (Year of Birth 1965) is licensed in the state of Wisconsin as a registered nurse (RN), having license number 132824-30, with multistate privileges pursuant to the Nurse Licensure Compact (Compact), first issued on July 30, 1999, and current through February 29, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is, Janesville, Wisconsin 53545.

2. On January 24, 2020, Respondent was convicted in Rock County Circuit Court Case No. 2019TR001878 of OWI (1st), an ordinance violation, in violation of Wis. Stat § 346.63(1)(a).

3. On February 13, 2020, Respondent applied for renewal of her RN credential. As part of the application process she was asked if, since her last renewal, she had any pending charges or convictions including ordinance charges and violations. Respondent answered “No.” on her renewal application.

4. On March 25, 2021, Respondent was charged with OWI (2nd) and Operating with/PAC (2nd) in Walworth County Circuit Court Case No. 2021CT000169, misdemeanors, in violation of Wis. Stat. §§ 346.63(1)(a) and 346.63(1)(b) respectively.

5. On February 10, 2022, Respondent began the application process for renewal of her RN credential. On February 25, 2022, she reported to the Board her OWI (1st) conviction and the pending charges for OWI (2nd) and Operating with/PAC (2nd).

6. On November 30, 2022, in Walworth County Circuit Court Case No. 2021CT000169, a judgment of conviction was entered against Respondent finding her guilty of OWI (2nd), and reading in the charges of Operating with/PAC (2nd). Respondent did not report this conviction to the Board within 48 hours after the entry of the judgment of conviction.

7. On July 12, 2023, the Division of Professional Credentialing Processing (DPCP) determined the OWI (1st) and OWI (2nd) convictions were not substantially related to the practice of nursing and granted Respondent’s license renewal application. However, the DPCP referred the matter involving Respondent’s failure to disclose/report pending charges and convictions in a timely manner to the Division of Legal Services and Compliance for further investigation.

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. § 441.07 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 failed to notify the Board of a misdemeanor conviction within 48 hours of entry of the judgment of conviction within the meaning of Wis. Stat. § 440.03(13)(am) and Wis. Admin. Code § N 7.03(1)(h).

3. By the conduct described in the Findings of Fact, Respondent engaged in fraud, deceit, or material omission in obtaining a license or certification or in the renewal of the license or certification within the meaning of Wis. Admin. Code § N 7.03(5)(e).

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$490.00. If costs are not paid ninety (90) days from the date of this Order, interest shall accrue at the statutory rate of 12% per annum, pursuant to Wis. Stat. § 440.22(2).

4. 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>.

5. In the event Respondent violates any term of this Order, Respondent's license (number 132824-30), 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.

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

WISCONSIN BOARD OF NURSING

By: 
A Member of the Board of Nursing

10/12/2023
Date

RECEIVED

SEP 18 2023

DIV LEGAL SERVICES & COMPLIANCE
DEPT SAFETY & PROFESSIONAL SERVICES

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SHELLIE L. RICHARDS, R.N.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0008815

Division of Legal Services and Compliance Case No. 23 NUR 512

Shellie L. Richards, R.N. (Respondent), 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.



Shellie L. Richards, R.N., Respondent
Janesville, WI 53545
License No. 132824-30

Sep. 14, 2023
Date



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

9/21/2023
Date