

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

JENNIFER M. SHAPIRO, L.P.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0008907

Division of Legal Services and Compliance Case No. 22 NUR 507

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

Jennifer M. Shapiro, L.P.N.
Madison, WI 53704

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. Jennifer M. Shapiro, L.P.N. (Respondent), (Year of Birth 1975) is licensed in the state of Wisconsin as a licensed practical nurse, having license number 318509-31, first issued on July 3, 2014, and current through April 30, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Madison, Wisconsin 53704.

2. On August 1, 2022, Respondent reported to the Department that she was convicted of a DUI - 2nd in Smyrna, Tennessee, on July 26, 2022.

3. On August 25, 2022, Respondent reported to the Department she had been in Recovery Court, specifically DUI court, for the last 4 weeks, and had maintained sobriety and attended weekly AA meetings.

4. As part of Recovery Court program, Respondent underwent an alcohol and other drug abuse (AODA) assessment on August 29, 2022, and was diagnosed with alcohol use disorder - moderate in complete full remission.

5. On October 27, 2022, Respondent entered into an impairment program, separate from this Order, and signed the impairment program contract.

6. 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 was unable to practice safely by reason of alcohol or other substance use within meaning of Wis. Admin. Code § N 7.03(6)(f).

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. The license to practice as a licensed practical nurse issued to Respondent (license no. 318509-31) is LIMITED as follows:

a. Respondent must comply with the impairment program contract dated October 27, 2022.

b. Any violation of the terms of the impairment program contract dated October 27, 2022, is a violation of this Order.

c. Respondent may petition for termination of this limitation upon successful completion of the impairment program.

4. In the event Respondent is discharged from PAP prior to successful completion, Respondent's license may, in the discretion of the Board or its designee, be immediately suspended. In addition to, or instead of, the suspension, the Board may impose additional

limitations to address any concerns regarding the conduct described in the Findings of Fact and facts leading to Respondent's discharge from PAP.

5. Within ninety (120) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,137.00. If costs are not paid within 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).

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://dpspsmonitoring.wi.gov>.

7. In the event Respondent violates any term of this Order, Respondent's license (number 318509-31), 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 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 BOARD OF NURSING

By: 
A Member of the Board of Nursing

12/14/23
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JENNIFER M. SHAPIRO, L.P.N.,
RESPONDENT.

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STIPULATION

ORDER 0008907

Division of Legal Services and Compliance Case No. 22 NUR 507

Jennifer M. Shapiro, L.P.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. Respondent is represented by Attorney Mario Mendoza.

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 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.

Jennifer Shapiro

Jennifer M. Shapiro, L.P.N., Respondent
Madison, WI 53704
License No. 318509-31

Nov 28, 2023

Date

Mario D. Mendoza

Mario Mendoza, Attorney for Respondent
Murphy Desmond SC
33 E. Main St. Ste 500
Madison, WI 53701

November 29, 2023

Date

Matthew E. Valley

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

November 30, 2023

Date