

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
DANIEL S. WELLS, R.N.,	:	
RESPONDENT.	:	ORDER0008908

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Division of Legal Services and Compliance Case No. 22 NUR 756

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

Daniel S. Wells, R.N.  
Milwaukee, WI 53211

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. Respondent Daniel S. Wells, R.N., (Year of Birth 1992) is licensed in the state of Wisconsin as a registered nurse, having license number 252687-30, first issued on February 19, 2020, 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 53211.

2. The Department received a complaint alleging that Respondent may be performing surgical procedures in his apartment and this matter was opened to investigate those allegations.

3. During the course of its investigation, the Department learned that Respondent had purchased medical and surgical supplies and medications and, on or around June 2022 and October

2022, had set up his apartment as a semi-surgical suite using these supplies and medications. Respondent asserts that these supplies and medications were utilized only on himself to attempt to remove scar tissue from his abdomen using a micro-debrider.

4. Respondent purchased and possessed lidocaine and epinephrine, for use on himself, in 2022. Respondent did not have a prescription for lidocaine or epinephrine.

5. In June 2022, and again in October 2022, Respondent asked a friend to help him treat his abdominal scarring. His friend did the following: (a) administered lidocaine and epinephrine to Respondent; (b) used a scalpel to make an incision in his abdomen; (c) used a micro-debrider to attempt to remove scar tissue from his abdomen; and (d) sutured the incision closed. The procedures were unsuccessful and resulted in infections and necrotic tissue for which Respondent subsequently received treatment from medical providers.

6. Respondent bought a “suture practice kit” for his friend that includes a model of skin to learn how to suture.

7. Respondent’s friend has never been licensed as a nurse or physician or any other health care provider.

8. Respondent denies that he ever offered or performed any surgical or any other procedure on anyone in his apartment. Respondent further denies that his friend ever performed any surgical or other procedure on anyone in his apartment beyond using the micro-debrider on him in June and October 2022. The Board has not concluded that Respondent offered or performed any surgical or any other procedure on anyone in his apartment, nor that Respondent’s friend performed any surgical or other procedure on anyone other than using the micro-debrider on Respondent in June and October 2022.

9. During the course of its investigation, the Department also learned that in January 2021, Respondent purchased Kybella over the internet and injected it into his abdomen in order to try to reduce the amount of loose tissue and fat that he had after a significant weight loss. The procedure was unsuccessful and caused scar tissue on his abdomen. Respondent did not have a prescription for Kybella.

10. On August 21, 2023, Respondent underwent a mental health and AODA assessment by a licensed professional counselor, who concluded that Respondent does not meet the criteria for substance use disorder, does not have serious mental health issues, and does not suffer from any condition that is likely to interfere with his ability to practice nursing safely and competently.

11. 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 violated a law substantially related to the practice of nursing, within the meaning of Wis. Admin. Code § N 7.03(2). Respondent violated Wis. Stat. § 450.11(7)(h) by being in possession of a prescription drug not obtained in compliance with that section.

3. By the conduct described in the Findings of Fact, Respondent knowingly aided, assisted, advised, or allowed a person to engage in the unlawful practice of nursing, within the meaning of Wis. Admin. Code § N 7.03(7)(b).

4. By the conduct described in the Findings of Fact, Respondent obtained, possessed or attempted to obtain or possess a drug without lawful authority, within the meaning of Wis. Admin. Code § N 7.03(8)(e).

5. 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. Respondent's license to practice as a registered nurse in the state of Wisconsin (license number 252687-30) is LIMITED as follows:
  - a. Within ninety (90) days of the date of this Order, Respondent shall at his own expense, successfully complete six (6) hours of education on the topic of professional responsibility, and six (6) hours of education on professional ethics, offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
  - 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, and also may not be used in future attempts to upgrade a credential in Wisconsin.
  - c. The Board's 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.
  - d. 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.

4. Respondent shall not engage in the practice of medicine or any other profession unless licensed to do so. If the Department or the Board becomes aware of any evidence in the future that Respondent has engaged in the practice of medicine or any other profession in which he is not licensed, a case will be opened by the Division of Legal Services and Compliance and may result in additional disciplinary action by the Board or Department.

5. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$3,773.00.

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://dspsmonitoring.wi.gov>.

8. In the event Respondent violates any term of this Order, Respondent's license (number 252687-30), or Respondent's right to renew his 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.

9. 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

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IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	
	:	STIPULATION
DANIEL S. WELLS, R.N., RESPONDENT.	:	ORDER0008908

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Division of Legal Services and Compliance Case No. 22 NUR 756

Respondent Daniel S. Wells, R.N., 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 Kristen Nelson.

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.

*Daniel S. Wells*

Daniel S. Wells, R.N., Respondent  
Milwaukee, WI 53211  
License No. 252687-30

11 / 16 / 2023

Date

*Kristen N. Nelson*  
Kristen N. Nelson, Attorney for Respondent  
Gimbel, Reilly, Guerin & Brown, LLP  
330 East Kilbourn Avenue, Suite 1170  
Milwaukee, Wisconsin 53202

11 / 17 / 23

Date

*Carley Peich Kiesling*

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

11/17/2023

Date