

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	:	
	:	FINAL DECISION AND ORDER
AMBER K. KNOWER,	:	ORDER 0008536
RESPONDENT.	:	

Division of Legal Services and Compliance Case No. 23 NUR 176

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

Amber K. Knower
Eau Claire, WI 54701

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

An Interim Order was issued in this matter on May 11, 2023. 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 Wisconsin 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 Amber K. Knower (Year of Birth 1982) is licensed in the state of Wisconsin as a registered nurse, having license number 154308-30, first issued on May 10, 2006, 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 Eau Claire, Wisconsin 54701.

PRIOR DISCIPLINE

2. On July 13, 2017, the Board issued Order No. 0005376, reprimanding Respondent and limiting her license (Board Order) for documenting administration of hydrocodone for a patient to whom Respondent was not assigned to care for.

3. The Board required Respondent to complete an alcohol and other drug assessment (AODA).

4. On November 15, 2017, the Board restored Respondent's license to full unrestricted status after she completed the AODA required by the Board Order.

CURRENT CASE

5. At all times relevant to these proceedings, Respondent was employed as a registered nurse at facilities located in Barron, Portage and Harris, Wisconsin.

6. On January 26, 2023, Respondent was terminated by a nursing facility in Barron, Wisconsin, due to alleged performance issues and pending Barron Police Department investigation.

7. On February 6, 2023, in Columbia County Circuit Court Case No. 2023CF000070, Respondent was charged with one count of Obtain Controlled Substance by Fraud with the modifier Crime Against an Elderly or Disabled Person, a class H felony, in violation of Wis. Stat. § 100.264(2)(b)5, and one count of Theft – Movable Property ≤\$2500 with the modifier Crime Against an Elderly or Disabled Person and the modifier Penalty-Theft if Value ≤\$2500, a class A misdemeanor, in violation of Wis. Stat. § 943.20(3)(a). The allegations underlying the aforementioned charges took place when Respondent worked at a facility in Portage, Wisconsin, in October 2022.

8. On March 1, 2023, in Marquette County Circuit Court Case No. 2023CF000021, Respondent was charged with one count of Obtain Controlled Substance by Fraud with the modifier Crime Against an Elderly or Disabled Person, a class H felony, in violation of Wis. Stat. § 100.264(2)(b)5, and one count of Theft – Movable Property ≤\$2500 with the modifier Crime Against an Elderly or Disabled Person, a class A misdemeanor, in violation of Wis. Stat. § 943.20(3)(a). The allegations underlying the aforementioned charges took place when Respondent worked at a facility in Harris, Wisconsin, in October 2022.

9. On March 8, 2023, the Department's Division of Legal Services and Compliance (DLSC) received a complaint alleging that Respondent diverted oxycodone from Facility patients in Barron, Wisconsin, and commenced DLSC Case No. 23 NUR 176.

10. On April 12, 2023, Respondent stipulated to an Interim Order which was issued by the Board on May 11, 2023. Pursuant to the Interim Order, Respondent's registered nursing credential was suspended during the pendency of DLSC Case No. 23 NUR 176.

11. On October 20, 2023, Respondent pleaded guilty in Columbia County Circuit Court Case No. 2023CF000070 to two counts of Disorderly Conduct in violation of Wis. Stat.

§ 947.01(1), a Class B misdemeanor, and was sentenced to eighteen months of probation. Respondent entered into a Deferred Prosecution Agreement (DPA) with Columbia County related to the Obtain Controlled Substance by Fraud (Crime against an Elderly or Disabled Person modifier) charge. The Court ordered, *inter alia*, that Respondent undergo an AODA assessment and follow through with any treatment recommendations, submit a DNA sample, and maintain absolute sobriety.

12. On October 31, 2023, Respondent pleaded no contest in Marquette County Circuit Court Case No. 2023CF000021 to Obtain Controlled Substance by Fraud with the modifier Crime Against an Elderly or Disabled Person, a class H felony, in violation of Wis. Stats. § 961.43(1)(a) and 100.264(2)(b)5. Respondent entered into a 12-month DPA which requires, *inter alia*, that Respondent refrain from engaging in criminal acts, complete an AODA assessment and follow through with treatment, maintain absolute sobriety, submit to random urine analysis, and complete twenty hours of community service.

13. 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 or aided and abetted a violation of any law substantially related to the practice of nursing or was convicted of any crime substantially related to the practice of nursing within the meaning of Wis. Admin. Code § N 7.03(2).

3. By the conduct described in the Findings of Fact, Respondent engaged in misconduct or abuse by soliciting, borrowing, misappropriating, obtaining, or attempting to obtain money or property from a patient or a patient's family within the meaning of Wis. Admin. Code § N 7.03(4)(a).

4. By the conduct described in the Findings of Fact, Respondent engaged in improper prescribing, dispensing, or administering medication or drug related offenses by dispensing of any drug other than in the course of legitimate practice or as otherwise prohibited by law within the meaning of Wis. Admin. Code § N 7.03(8)(b).

5. 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).

6. 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 Stipulation of the parties is accepted.

2. The PERMANENT SURRENDER by Respondent of her license to practice as a registered nurse in the state of Wisconsin (license number 154308-20), as well as her right to renew such license, is accepted.

3. In the event Respondent petitions the Board for reinstatement of her license to practice as a registered nurse in the state of Wisconsin or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$1,793.00, before any petition or application for a credential will be considered by the applicable board or Department.

4. In the event Respondent petitions the Board for reinstatement of her license to practice as a registered nurse in the state of Wisconsin, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the sole discretion of the Board and such decision is not reviewable.

5. 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>.

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

WISCONSIN BOARD OF NURSING

By: 
A Member of the Board

2/8/2024
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

AMBER K. KNOWER,
RESPONDENT.

:
:
:
:
:

STIPULATION
ORDER 0008536

Division of Legal Services and Compliance Case No. 23 NUR 176

Respondent Amber K. Knower 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.


Amber K. Knowler, Respondent
Eau Claire, WI 54701
License No. 154308-30

1/17/24
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

1/18/24
Date