

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### **Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions**

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### **Please read this agreement prior to viewing the Decision:**

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF APPLICATION FOR :  
RENEWAL OF A LICENSED PRACTICAL :  
NURSE CREDENTIAL :

ORDER GRANTING  
LIMITED LICENSE

BEE THAO,  
APPLICANT.

ORDER 0008938

---

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

Bee Thao  
Appleton, WI 54914

Wisconsin Board of Nursing  
Department of Safety and Professional Services  
4822 Madison Yards Way  
P.O. Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the resolution of this application. The Wisconsin Board of Nursing (Board) adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Bee Thao (Applicant) resides in Wisconsin.
2. On or about June 5, 2018, Applicant was issued Wisconsin Licensed Practical Nurse credential #322926-31.
3. On or about March 27, 2023, Applicant submitted an application (#IA-79467) to renew Wisconsin Licensed Practical Nurse credential #322926-31.
4. Information obtained during the renewal application process reflects Applicant has the following conviction record:
  - A. On October 13, 2021 – *Lewd, Lascivious Behavior-Exposure*, a misdemeanor conviction in Outagamie County Circuit Court Case No. 21-CM-084.

- i. On July 1, 2020, Applicant exposed himself to a woman at a gas station. Applicant was convicted of the noted offense and sentenced to a fine and 12 months of probation with treatment as directed by his probation officer. Applicant was evaluated and recommended for Sex Offender Treatment (SOT), which he started but did not complete although he was nevertheless discharged from probation on October 13, 2022.

5. Applicant failed to report the above-described conviction within 48 hours as required pursuant to Wis. Admin. Code § N 7.03(1)(h).

6. On October 4, 2023, the Board sent Applicant a Request for Information asking him to undergo a Fitness to Practice evaluation with an evaluator to be approved by the Board and with experience evaluating and treating health care professionals. Applicant submitted a proposed evaluator who was approved and who then completed the requested evaluation.

7. The approved evaluator subsequently provided a report to the Board describing his evaluation of Applicant and his findings that:

Based upon a thorough review of the presenting factors, diagnostic interview, and review of records, I find that [Applicant] does not meet the diagnostic criteria for diagnosable mental health conditions . . . [and] is able to act in the scope of a licensed practical nurse. I believe [Applicant] is able to practice with reasonable skill and safety of patients and the public in mind.

8. In resolution of this matter, Applicant 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 the attached Stipulation pursuant to Wis. Stat. §§ 15.08(5)(c) and 227.44(5).

2. By the conduct described in the Finding of Fact, Applicant violated Wis. Stat. § 441.07(1g)(b) and Wis. Admin. Code § N 7.03(1)(h) by failing to notify the board of a misdemeanor in writing within 48 hours after the entry of the judgment of conviction.

3. As a result of the above conduct, Applicant is subject to limitations on his license pursuant to Wis. Stat. § 441.07(1g)(b) and Wis. Admin. Code § N 7.03(1)(h).

#### ORDER

1. The attached Stipulation is accepted.

2. Applicant's Licensed Practical Nurse license #322926-31 is a Wisconsin single-state license, and his practice is limited to Wisconsin during the pendency of this Order. If Applicant wants to obtain a multistate privilege in the future, he may apply for it after demonstrating complete successful compliance with the terms of this Order and his license has been changed to full, unencumbered status.

3. Applicant's ability to practice as a Licensed Practical Nurse in the state of Wisconsin, and his privilege to practice pursuant to the Enhanced Nurse Licensure Compact (Compact) is LIMITED as follows:

- A. For a period of at least two years from the date of this Order, Applicant shall comply with the following practice limitations:
  - i. Applicant shall provide Applicant's nursing employer with a copy of this Order before engaging in, or continuing to engage in, any nursing employment. Applicant shall provide the Department Monitor with written acknowledgment from each nursing employer that a copy of this Order has been received. Such acknowledgment shall be provided to the Department Monitor within 14 days of beginning new employment and/or within 14 days of the date of this Order for employment current as of the date of this Order.
  - ii. It is Applicant's responsibility to arrange for quarterly written reports to be submitted to the Department Monitor from his supervisor at each setting in which Applicant practiced nursing in the previous quarter. These reports shall be submitted as directed by the Department Monitor, and shall assess Applicant's work performance, and shall include the number of hours of active nursing practice worked during that quarter. If a report indicates poor performance, the Board may institute additional limitations on Applicant's nursing license, in its discretion.
  - iii. Applicant shall report to the Board any change of employment status, residence, address or telephone number within five days of the date of change.
  - iv. Applicant shall commit no new violations of law and shall report all law enforcement contacts leading to arrest, charge or conviction, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within 48 hours of any such event, including any convictions resulting from pending charges.

4. Applicant may petition the Board on an annual basis for modification of the terms of this Order, however no such petition for modification shall occur earlier than one year from the date of this Order. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Applicant shall not have a right to any further hearings or proceedings on the denial.

5. After two consecutive years of successful compliance, including at least 600 hours of approved nursing practice each year, Applicant may petition the Board for return of full

licensure. The Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.

6. Pursuant to the Compact, Applicant may not practice in a Compact state, other than Wisconsin, while his license is encumbered by any limitation or restriction imposed by this order.

7. Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, or delivered 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) 267-3817  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

You may also submit this information online via DSPS Monitoring Case management System, here: <https://dpsmonitoring.wi.gov>

8. In the event Applicant violates any term of this Order, Applicant's license, or Applicant's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing. The Board or its designee may terminate the suspension if provided with sufficient information that Applicant is in compliance with the Order and that it is appropriate for the suspension to be terminated. Whether to terminate the suspension shall be wholly in the discretion of the Board or its designee. 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. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

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

WISCONSIN BOARD OF NURSING

By: Vera Guyton, L.P.N. /JK  
A Member of the Board

01/09/2024  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF APPLICATION FOR :  
RENEWAL OF A LICENSED PRACTICAL :  
NURSE CREDENTIAL :

BEE THAO,  
APPLICANT.

:  
: STIPULATION  
:

:  
: **ORDER 0008938**  
:

---

It is stipulated between Bee Thao (Applicant) and the Wisconsin Board of Nursing (Board) as follows:

1. Applicant filed an application to renew Licensed Practical Nurse license #322926-31.
2. Information received by the Board reflects a basis for denial of licensure.
3. Based upon the information of record, the Board agrees to issue, and Applicant agrees to accept, an Order renewing Licensed Practical Nurse license #322926-31, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
  - the right to request a hearing related to the denial of the application;
  - the right to confront and cross-examine the witnesses against Applicant;
  - the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
  - the right to testify on Applicant'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 Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
5. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.
6. Applicant agrees to the adoption of the attached Order Granting Limited License by the Board. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, appearance, or consent of the parties.

7. Applicant waives all rights to any appeal of the Board's Order, as adopted in the form as attached.

8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.

9. Applicant is informed that the Order Granting Limited License is an encumbrance as defined by the Enhanced Nurse Licensure Compact (Compact) and Applicant's multi-state license and/or privilege, if any, will be subject to all terms and conditions of the Compact.

Bee Thao  
Bee Thao  
Appleton, WI 54915  
License #322926-31

01/08/2024  
Date

Vera Guyton, L.P.N. /JK  
A Member of the Board of Nursing  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

01/09/2024  
Date