

## 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 APPLICATION FOR  
A REGISTERED NURSE CREDENTIAL

RYAN GELLER,  
APPLICANT.

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ORDER GRANTING  
LIMITED LICENSE

**ORDER 0008963**

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

Ryan Geller  
Harwood Heights, IL 60706

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. Ryan Geller (Applicant) filed an application for a Wisconsin Registered Nurse credential (application number #IA-118714).

2. Applicant resides in Illinois.

3. Information received in the application process reflects that Applicant has the following convictions:

A. On or about April 12, 2016 – Person Under 21<sup>st</sup> Purchase Consume/Possess, a misdemeanor conviction in Michigan.

i. Applicant states that, in college, he went to a party and drank. Applicant came back to the dorm and the RA called for an ambulance for him. Prior to the ambulance arrival, police ticketed Applicant for Minor In Possession (MIP). Applicant believes he completed a deferred sentence.

- ii. The citation states Applicant consumed two (2) shots of vodka, had poor balance, eyes were bloodshot and glossy, and he was transported to the hospital for alcohol overdose. Applicant was placed on probation for four (4) months, which he successfully completed, resulting in the MIP being set aside and the case dismissed.
- B. On or about May 12, 2022 – Operating with a High BAC, a misdemeanor conviction in Michigan.
- C. On or about May 12, 2022 – Disturbing the Peace, a misdemeanor conviction in Michigan.
  - i. Applicant was pulled over for suspicion of intoxication. Applicant displayed numerous indicia of intoxication, had an open intoxicant in the vehicle, and was less than cooperative with law enforcement.
  - ii. Applicant performed poorly on the Horizontal Gaze Nystagmus (HGN) test and was unable to complete the rest of the Standard Field Sobriety Tests, as Applicant could not stand. Applicant’s reported Blood Alcohol Content (BAC) was .27.
  - iii. Applicant was sentenced to two (2) days in jail, eleven (11) months’ probation, underwent an Alcohol and Other Drug Abuse (AODA) Assessment, completed a Victim Impact Panel, and paid a fine. Applicant was early discharged from probation on or about October 12, 2022.
  - iv. Applicant’s AODA assessment diagnosed Alcohol Use Disorder-Moderate and recommended outpatient treatment.
- D. On or about April 29, 2022, Applicant completed an AODA assessment, with the Assessor noting the following:
  - i. “I believe the instant offense as precipitated by pride, some degree of denial, a desire to test personal control, and overconfidence in the ability to operate a motor vehicle after drinking;”
  - ii. “[Applicant’s] responses were very terse and [he] was indignant about the testing instrument’s questions and results;”
  - iii. “[Applicant’s] defensiveness was obvious and indicates possible minimization of [his] frequency and volume of use, and denial of any disorder;”
  - iv. “Should [his] current mindset remain, and [he] is unable to actively participate in [his] treatment, I believe that [his] likelihood of

recidivating similar behaviors in the future will remain highly probable.”

E. Applicant’s discharge session on or about May 20, 2022, contained the following:

i. Clinical impressions and observations:

- a. Applicant successfully completed his alcohol highway safety education counseling;
- b. Applicant’s overall attitude, participation, acceptance of responsibility, and receptiveness to feedback were all good;
- c. It appears that additional counseling was recommended for Applicant, but Applicant marked “No” to “Would you like additional counseling;” and
- d. Applicant exhibited moderate growth and was considered to be in the pre-contemplative state of change.

F. On or about December 13, 2023, the Board requested Applicant undergo an additional AODA assessment to address concerns relating to Applicant’s conviction history, history of substance use, and recent diagnosis of Alcohol Use Disorder-Moderate. This additional AODA assessment, completed on or about January 9, 2024, noted the following:

- i. Based on DSM-5 criteria, Applicant is diagnosed with mild to moderate Substance Use Disorder.
- ii. Applicant reports not using substances since 2022, indicating he is in recovery.
- iii. The Assessor found Applicant forthcoming. Applicant discussed he was not in a good place at his last assessment and that his defensiveness stemmed from being angry at himself because he knew this was his fault.
- iv. Applicant understands he should maintain abstinence.
  - i. Upon completion of this additional AODA assessment, the Assessor recommended:
    - a. Monitoring (AODA testing).
    - b. Attendance at after care/support group meetings.

4. 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. Pursuant to Wis. Stat. § 441.07(1g)(b), the Board may deny an initial license or revoke, limit, suspend, or deny the renewal of a license of a registered nurse for one or more violations of this subchapter or any rule adopted by the Board under the authority of this subchapter.

3. Pursuant to Wis. Stat. § 441.07(1g)(c), the Board may deny an initial license or revoke, limit, suspend, or deny the renewal of a license due to acts which show the registered nurse, nurse-midwife or licensed practical nurse to be unfit or incompetent by reason of negligence, abuse of alcohol or other drugs or mental incompetency.

4. Pursuant to Wis. Stat. § 441.07(1g)(d), the Board may deny an initial license or revoke, limit, suspend, or deny the renewal of a license of a registered nurse for misconduct or unprofessional conduct.

5. The Board may deny an application for licensure if Applicant is unable to practice safely by reason of alcohol or other substance use pursuant to Wis. Admin. Code § N 7.03(6)(f).

6. By the conduct described in the Findings of Fact, Applicant violated Wis. Stat. §§ 441.07(1g)(b),(c), and (d), and Wis. Admin. Code § N 7.03(6)(f), by committing acts which show Applicant to be unfit or incompetent by reason of abuse of alcohol or other drugs; and Applicant is unable to practice safely by reason of alcohol or other substance abuse.

7. As a result of the above conduct, Applicant is subject to limitations on his license pursuant to Wis. Stat. §§ 441.07(1g)(b), 441.07(1g)(c), and 441.07(1g)(d), and Wis. Admin. Code § N 7.03(6)(f).

#### ORDER

1. The attached Stipulation is accepted.

2. Limitations upon Applicant's Registered Nurse credential are necessary to ensure that he is fit and competent to practice as a Registered Nurse.

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

a. For a period of at least two (2) years from the date of this Order:

- i. Applicant shall enroll and participate in a drug and alcohol monitoring program which is approved by the Board or its designee (Approved Program). Enrollment shall occur within thirty (30) calendar days from the date of this Order.
- ii. At the time Applicant enrolls in the Approved Program, Applicant shall review the rules and procedures made available by the Approved Program. Failure to comply with all requirements for participation in drug and alcohol monitoring established by the Approved Program is a substantial violation of this Order. The requirements shall include:
  1. Contact with the Approved Program as directed on a daily basis, including vacations, weekends and holidays.
  2. Production of a urine, blood, sweat, fingernail, hair, saliva or other specimen at a collection site designated by the Approved Program within five (5) hours of notification of a test.
  3. The Approved Program shall require the testing of specimens at a frequency of not less than twenty-eight (28) times per year (one (1) of which may be a hair test at the Board's discretion), for at least the first year of this Order. Thereafter, the Board may adjust the frequency of testing on its own initiative at any time.
- iii. Applicant shall abstain from all personal use of alcohol.
- iv. Applicant shall abstain from all personal use of controlled substances as defined in Wis. Stat. § 961.01(4), except when prescribed, dispensed or administered by a practitioner for a legitimate medical condition. Applicant shall disclose Applicant's drug and alcohol history and the existence and nature of this Order to the practitioner prior to the practitioner ordering the controlled substance. Applicant shall at the time the controlled substance is ordered immediately sign a release in compliance with state and federal laws authorizing the practitioner to discuss Applicant's treatment with, and provide copies of treatment records to, the Board or its designee. Copies of these releases shall immediately be filed with the Department of Safety and Professional Services Monitor (Department Monitor).
- v. Applicant shall report to the Department Monitor all prescription medications and drugs taken by Applicant. Reports must be

received within twenty-four (24) hours of ingestion or administration of the medication or drug, and shall identify the person or persons who prescribed, dispensed, administered or ordered said medications or drugs. Each time the prescription is filled or refilled, Applicant shall immediately arrange for the prescriber or pharmacy to fax and mail copies of all prescriptions to the Department Monitor.

- vi. Applicant shall provide the Department Monitor with a list of over-the-counter medications and drugs that Applicant may take from time to time. Over-the-counter medications and drugs that mask the consumption of controlled substances or of alcohol, create false positive screening results, or interfere with Applicant's treatment and rehabilitation, shall not be taken unless ordered by a physician, in which case the drug must be reported as described in the paragraph 3(a)v.
- vii. All positive test results are presumed valid and may result in automatic suspension of licensure by the Board or the Board's designee. A positive test is a violation of this order.
- viii. If any urine, blood, sweat, fingernail, hair, saliva or other specimen is positive or suspected positive for any controlled substances or alcohol, Applicant shall promptly submit to additional tests or examinations as the Board or its designee shall determine to be appropriate to clarify or confirm the positive or suspected positive test results.
- ix. Applicant shall attend Alcoholics Anonymous meetings, Narcotics Anonymous meetings, or other Board-approved equivalent program for recovering professionals, no less than twice per week. Applicant shall provide proof of attendance on a quarterly basis to the Department Monitor.
- x. 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 fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.
- xi. It is Applicant's responsibility to arrange for quarterly written reports to be submitted to the Department Monitor from her

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.

- xii. Applicant may work as a nurse or other health care provider in a setting in which Applicant has access to controlled substances.
- xiii. Applicant shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of change.
- xiv. 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 forty-eight (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 (1) year from the date of this Order. Any petition for modification shall be accompanied by a written recommendation from Applicant's Treater expressly supporting the specific modifications sought. 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 (2) consecutive years of successful compliance, including at least six hundred (600) hours of approved nursing practice each year, the 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 renewal Applicant's 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 incurred in conjunction with the monitoring, screening, supervision, and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

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

WISCONSIN BOARD OF NURSING

By: Dr. Janice Edelstein, R.N. /ALC  
A Member of the Board

02/07/2024  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF APPLICATION FOR  
A REGISTERED NURSE CREDENTIAL

RYAN GELLER,  
APPLICANT.

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STIPULATION

**ORDER 0008963**

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

1. Applicant filed an application for a Registered Nurse credential.
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 for a Registered Nurse credential, 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 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.

Ryan Geller

Ryan Geller  
Harwood Heights, IL 60706  
Application no. IA-118714

2-6-24

Date

Dr. Janice Edelstein, R.N. /ALC

A Member of the Board of Nursing  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

02/07/2024

Date