

## 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/wscga>

- 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 DISCIPLINARY  
PROCEEDINGS AGAINST

BRANDY L. DUNSE,  
RESPONDENT.

:  
:  
:  
:  
:

FINAL DECISION AND ORDER

**ORDER 0008972**

---

Division of Legal Services and Compliance Case No. 23 NUR 669

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

Brandy L. Dunse  
Marinette, WI 54143

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 Brandy L. Dunse (Year of Birth 1983) is licensed in the state of Wisconsin as a registered nurse with multistate privileges pursuant to the Nurse Licensure Compact (Compact), having license number 245951-30, first issued on January 29, 2019, and current through February 29, 2024. Respondent is also licensed in the state of Wisconsin as a licensed practical nurse, having license number 322365-31, first issued on October 20, 2017, and expired as of May 1, 2019. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to renew this license upon payment of a fee through April 30, 2024.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Marinette, Wisconsin 54143.

3. At all times relevant to this proceeding, Respondent worked as a registered nurse at a health and rehabilitation facility located in Appleton, Wisconsin (Facility).

4. On September 22, 2023, the Facility filed a complaint with the Department alleging that Respondent diverted Vicodin and Oxycodone by signing out those medications when the residents for whom they were prescribed had not requested pain medications. Respondent underwent a urine drug screen, which returned positive for Hydrocodone, Hydromorphone, Oxycodone, and Oxymorphone.

5. On September 22, 2023, the Facility terminated Respondent's employment.

6. On November 15, 2023, Respondent submitted a statement to the Department admitting she has substance abuse issues and is undergoing AODA treatment.

7. On January 10, 2024, Respondent voluntarily entered into Wisconsin's non-disciplinary professional assistance program for licensees with substance abuse issues (PAP).

8. 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 practiced nursing while under the influence of alcohol, illicit drugs, or while impaired by the use of legitimately prescribed pharmacological agents or medications, within the meaning of Wis. Admin. Code § N 7.03(6)(e).

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. Respondent's license to practice as a registered nurse in the state of Wisconsin (number 245951-30), her right to renew her license to practice as a licensed practical nurse in the state of Wisconsin (number 322365-31), and her privilege to practice as a nurse in the state of Wisconsin under the authority of another state's license pursuant to the Compact, are LIMITED as follows:

a. Respondent shall comply with her PAP agreement, dated January 10, 2024.

- b. Any violation of the terms of Respondent's PAP agreement, dated January 10, 2024, is a violation of this Order.
- c. Respondent may petition the Board for removal of this limitation upon successful completion of her PAP agreement, dated January 10, 2024.

4. In the event Respondent violates any term of this Order, or is discharged from PAP prior to successful completion, Respondent's registered nurse license (number 245951-30), her right to renew her registered nurse license, and her right to renew her licensed practical nurse license (number 322365-31), may, in the discretion of the Board or its designee, be immediately SUSPENDED without further notice or hearing. 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.

5. Pursuant to Wis. Stat. § 441.51(5)(b), Respondent's multistate licensure privilege to practice in all Compact states besides Wisconsin is deactivated during the pendency of this Order.

6. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$465.00. 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).

7. 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. 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

BRANDY L. DUNSE,  
RESPONDENT.

:  
:  
:  
:  
:  
:

STIPULATION

ORDER 0008972

Division of Legal Services and Compliance Case No. 23 NUR 669

Respondent Brandy L. Dunse 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 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 Data Bank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

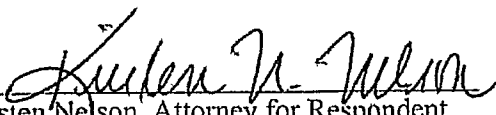
9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Brandy L. Dunse, Respondent  
Marinette, WI 54143  
License Nos. 245951-30 and 322365-31

01 / 23 / 2024


Date



Kristen Nelson, Attorney for Respondent  
Gimbel, Reilly, Guerin & Brown, LLP  
330 E. Kilbourn Ave., Suite 1170  
Milwaukee, WI 53202

1/23/24

Date



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

01/24/2024

Date