

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	
	:	
JEAN N. RUSCH,	:	FINAL DECISION AND ORDER
LICENSEE.	:	FOR REMEDIAL EDUCATION
	:	ORDER0008977

Division of Legal Services and Compliance Case No. 22 NUR 822

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

Jean N. Rusch
Fond du Lac, WI 54937

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 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. Licensee Jean N. Rusch (Year of Birth 1972) is licensed in the state of Wisconsin as a registered nurse with multistate privileges pursuant to the Nurse Licensure Compact (Compact), having license number 118031-30, first issued on September 23, 1994, and current through February 29, 2024. Licensee is also certified in the state of Wisconsin as an advanced practice nurse prescriber, having certificate number 5400-33, first issued on August 26, 2013, and current through September 30, 2024.

2. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Fond du Lac, Wisconsin 54937.

3. At all times relevant to this proceeding, Licensee worked as a nurse practitioner in the plastic and reconstructive surgery department of a clinic in Fond du Lac, Wisconsin (Clinic).

4. On November 14, 2022, Patient A, a female born in 1969, presented to Licensee for a follow-up visit after her breast reconstruction surgery following breast cancer. Patient A had recently finished a course of antibiotics for a fever of unknown origin and showed no signs of fever, redness, swelling, or pain.

5. At the end of the visit, Patient A asked Licensee if she should get a flu vaccination, indicating the pharmacist thought it was contraindicated with her antibiotic medication. Licensee said she agreed with the pharmacist and suggested Patient A wait until she was healed.

6. Patient A asked Licensee what else she could do or take to prevent a recurrent infection and expedite healing. Licensee provided a list to Patient A of alternative treatments, including cannabis, chlorine dioxide gas, vitamin B17, and Ivermectin.

7. Licensee did not document her recommendations for alternative treatments in Patient A's chart, nor did she consult with her collaborating physician.

8. On January 10, 2023, the Clinic determined that the list Licensee provided to Patient A discussed experimental protocols that were not evidence-based in humans. The Clinic issued a written warning to Licensee for violating the Clinic's policy on misrepresentation that potentially could cause harm to the health or safety of any person.

9. This Final Decision and Order for Education does not constitute professional discipline and the Board has made no finding that Licensee engaged in unprofessional conduct.

10. In resolution of this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Within six (6) months of the date of this Order, Licensee shall at her own expense take and successfully complete the following education: six (6) hours on the topic of documentation, three (3) hours on the topic of scope of practice for nurse practitioners, and three (3) hours on the topic of current practice standards for advanced practice nurse prescribers, as follows:

- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the course(s) from the Board or its designee. Licensee must take and pass any exam offered for the course(s).

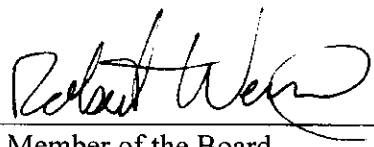
- b. Licensee shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board and may not be used in any future attempt to upgrade a credential.
 - c. The Board or its designee may change the number of credit hours and/or education topics in response to a request from Licensee. The Board or its designee may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
3. Requests for course approval and proof of successful course completion shall be sent by Licensee to the Department Monitor at the address below:

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

Licensee may also submit this information online at: <https://dpsmonitoring.wi.gov>.

4. 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 THE LICENSE OF	:	
	:	STIPULATION
JEAN N. RUSCH,	:	
LICENSEE.	:	ORDER0008977

Division of Legal Services and Compliance Case No. 22 NUR 822

Licensee Jean N. Rusch 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. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Licensee is represented by Attorney Adam Fitzpatrick.

4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order for Remedial Education without further notice, pleading, appearance or consent of the parties. Licensee waives all rights to any appeal of the Board's order, if adopted in the form as attached.

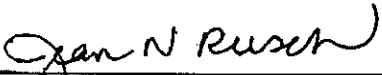
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by 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 Licensee or Licensee'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 for Remedial Education.

7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education is a public record and will be published in accordance with standard Department procedure.

8. Licensee is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education 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.

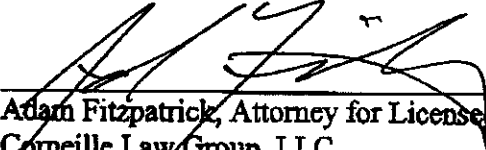
9. The Division of Legal Services and Compliance joins Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order for Remedial Education.



Jean N. Rusch, Licensee
Fond du Lac, WI 54937
License No. 118031-30
Certificate No. 5400-33

1-5-24

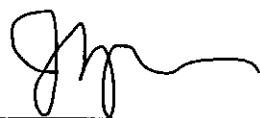
Date



Adam Fitzpatrick, Attorney for Licensee
Cormeille Law Group, LLC
7618 Westward Way, Suite 100
Madison, WI 53717

1/19/24

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

01/23/2024

Date