

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
ASZANI STODDARD, R.N., A.P.N.P., C.N.M., :
RESPONDENT. : **0003390**

Division of Legal Services and Compliance Case No. 14 NUR 338

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

Aszani Stoddard, R.N., A.P.N.P., C.N.M.
3605 40th Avenue S
Minneapolis, MN 55406

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. Respondent Aszani Stoddard, R.N., A.P.N.P., C.N.M., (dob December 29, 1958) is licensed in the State of Wisconsin as a professional nurse, having license number 117907-30, first issued on September 2, 1994 and current through February 29, 2016. Respondent is also certified in the State of Wisconsin as an advanced practice nurse prescriber, having certification number 2202-33, first issued on February 4, 2003 and current through September 30, 2014. Respondent is also certified in the State of Wisconsin as a nurse-midwife, having certification number 137182-32, first issued on June 21, 2001 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 3605 40th Avenue South, Minneapolis, Minnesota 55406.

2. In 2010, Respondent was employed as a certified nurse-midwife at a birth center, located in St. Paul, Minnesota.

3. On June 5, 2014, the Minnesota Board of Nursing (Minnesota Board) and Respondent entered into a Stipulation and Consent Order based on the following facts:

- a. In 2010, Respondent served as a nurse-midwife to Patient A. Respondent performed prenatal visits, care during Patient A's home birth and postpartum check-ups.
- b. After the birth of Patient A's child, Respondent exchanged occasional text messages with Patient A and accepted an invitation to have dinner at the Patient A's home. Respondent encouraged Patient A to volunteer at the birth center.
- c. Respondent did not provide any nursing services for the Patient A after 2010.
- d. In March 2011, Respondent resigned her employment and continued to socialize with the former patients, including Patient A.
- e. In August 2012, Patient A expressed romantic feelings towards Respondent. Respondent encouraged Patient A to seek mental health services. Respondent rarely saw Patient A after this time, but did continue to exchange emails and text messages.
- f. Later in August 2012, Respondent and Patient A discussed their relationship and exchanged a series of communications, two of which contained sexual innuendos.
- g. In October 2012, Respondent and Patient A met with Patient A's therapist to put closure on their friendship. A few days prior to the meeting, Respondent sent an email to Patient A discussing the possibility of Respondent and Patient A becoming "primary partners" while Patient A and her husband would be "secondary partners." Respondent stated later that she made this statement only to push Patient A to make a decision in favor of her marriage. Respondent admitted this was an unskilled way to facilitate formal closure.
- h. Later in October 2012, Respondent admitted she made an error in thinking of Patient A as a friend and acknowledged she should have terminated all contact immediately after Patient A revealed her romantic feelings towards Respondent.
- i. Respondent acknowledged she socializes with former patients and attends events such as reunion picnics, and, in some cases, continues to serve as a health care provider to patients with whom she had also become friends.

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

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing 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, Aszani Stoddard, R.N., A.P.N.P., C.N.M., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(7), by having disciplinary action through final board adjudication taken against one's license in another jurisdiction.

3. As a result of the above conduct, Aszani Stoddard, R.N., A.P.N.P., C.N.M., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. The professional nursing license, advanced practice nurse prescriber and nurse-midwife certifications issued to Aszani Stoddard, R.N., A.P.N.P., C.N.M., (license number 117907-30 and certificate numbers 2202-33 and 137182-32) is SUSPENDED for an indefinite period.

3. The privilege of Aszani Stoddard, R.N., A.P.N.P., C.N.M., to practice as a nurse in the State of Wisconsin under the authority of another state's license pursuant to the Nurse Licensure Compact is also SUSPENDED for an indefinite period.

4. The suspension is hereby stayed so long as Respondent remains compliant with the Minnesota Consent Order.

5. The professional nursing license, advanced practice nurse prescriber certificate and nurse-midwife certificate issued to Aszani Stoddard, R.N., A.P.N.P., C.N.M., (license number 117907-30 and certificate numbers 2202-33 and 137182-32) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

- a. Respondent shall fully comply with all conditions and limitations placed on her Minnesota license.
- b. Respondent shall submit proof of successful completion of education to the Department within (15) days of it being provided to the Minnesota Board.

- c. Respondent shall have the consultant report, required by the Minnesota Consent Order, submitted by the consultant to the Department within fifteen (15) days of it being provided to the Minnesota Board.
- d. Respondent shall comply with any recommendations for additional education made by the nurse consultant. Respondent must submit written documentation to the Department within fifteen (15) days of submission to the Minnesota Board.
- e. Respondent shall submit to the Department the type-written report required in the Minnesota Consent Order within fifteen (15) days of submission to the Minnesota Board.
- f. Respondent shall submit to the Department copies of all self-reports required in the Minnesota Consent Order within fifteen (15) days of submission to the Minnesota Board.
- g. All supervisor reports required in the Minnesota Consent Order must be sent to the Department within fifteen (15) days of submission to the Minnesota Board.
- h. Respondent must maintain professional boundaries and avoid any inappropriate personal or sexual relationships with clients.
- i. Respondent shall notify the Department of any changes to her Minnesota Consent Order within ten (10) days of the change.
- j. Respondent shall provide any additional relevant information reasonably requested by the Board or its designee.
- k. While this Final Decision and Order is in effect, Respondent shall notify each present and future nursing supervisor of this Order within ten (10) days of the date of the Final Decision and Order or commencing employment. Respondent shall provide the supervisor with a copy of the entire signed order.
- l. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully complied with all terms and conditions of the Minnesota Consent order and that her Minnesota license is no longer conditional or limited in any way.

6. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$350.00.

7. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

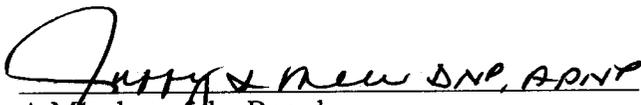
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

8. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license and certifications. The Board in its discretion may in the alternative impose additional conditions and limitations for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs, as ordered; fails to timely submit self-reports; or, fails to timely submit work reports, as set forth above, Respondent's license and certificates (nos. 117907-30, 2202-33 and 137182-32) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs, submitted self-reports, submitted work reports and submitted proof of successful completion of the education.

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

WISCONSIN BOARD OF NURSING

by:


A Member of the Board

9-11-14
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ASZANI STODDARD, R.N., A.P.N.P., C.N.M.,
RESPONDENT.

:
:
:
: STIPULATION

0003390

Division of Legal Services and Compliance Case No. 14 NUR 338

Respondent Aszani Stoddard, R.N., A.P.N.P., C.N.M., 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.

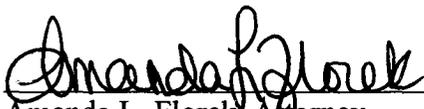
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Aszani Stoddard, R.N., A.P.N.P., C.N.M., Respondent
3605 40th Ave. S.
Minneapolis, MN 55406
License no. 117907-30, 2202-33

7/8/14

Date



Amanda L. Florek, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison WI 53707-7190

7/14/14

Date