

Tony Evers
Governor



State of Wisconsin
Department of Health Services

Kirsten L. Johnson
Secretary

DIVISION OF PUBLIC HEALTH

1 WEST WILSON STREET
PO BOX 2659
MADISON WI 53701-2659

Telephone: 608-266-1251
Fax: 608-267-2832
TTY: 711 or 800-947-3529

September 19, 2023

(Via E-Mail and Certified US Mail)

MaryClaire Nicholson
134 Jefferson St
Oregon, WI 53575

Re: Letter of Reprimand to MaryClaire Nicholson #70112333

Dear Ms. Nicholson,

The Department of Health Services (Department), Emergency Medical Services (EMS) Section, hereby reprimands you, MaryClaire Nicholson, License #70112333, for providing emergency medical care without a current license, as required by Wis. Admin Code DHS §110.05, 110.13(2) and Wis. Admin Code § 256.15(2)(a).

Factual Basis for the Department's Action

Your paramedic license expired on June 30, 2023, and you applied for late renewal of your paramedic license on August 3, 2023. Despite this, you continued to provide patient care, without a valid paramedic license, from July 1, 2023, to August 4, 2023.

On August 4, 2023, the Department was notified that you, MaryClaire Nicholson, were functioning as an emergency medical services practitioner with Oregon Area Fire EMS District without a valid license.

On August 11, 2023, the Department requested Oregon Area Fire EMS District provide the number of times you, MaryClaire Nicholson, responded with Oregon Area Fire EMS District after your paramedic license expired on June 30, 2023.

On August 22, 2023, Oregon Area Fire EMS District provided the Department with documentation listing at least 11 emergency medical responses you completed after your paramedic license expired.

Interviews with you and Oregon Area Fire EMS District confirmed that you provided emergency medical care after your paramedic license expired from July 1, 2023, to August 4, 2023.

Legal Authority for Department Action

Under Wis. Admin Code DHS § 110.56,

The department may reprimand a licensee, permit holder, or certificate holder if the department finds that the person has violated a requirement of this chapter or ch. 256, Stats., or engaged in conduct described in s. DHS 110.54. A reprimand documents the department's finding that the permittee, certificate holder or licensee has violated a requirement of this chapter or ch. 256, Stats., or has engaged in conduct described in s. DHS 110.54. A reprimand may be in the form of a letter issued to the person who is the subject of the reprimand...

Wis. Admin. Code DHS §110.54 states:

The department may take any enforcement action under ss. 110.55 to 110.58, which it determines is appropriate against a person subject to the requirements of this chapter and ss. 256.12 to 256.18, Stats., for any of the following reasons:

- (4) The person violated any provision of ch. 256, Stats., or this chapter.

Wis. Admin. Code DHS § 110.05 states,

- (1) Before an individual may perform emergency medical care or advertise for the provision of emergency medical care as an EMS professional, the individual shall be certified as an emergency medical responder or licensed as an EMS practitioner by the department...

Wis. Admin Code DHS § 110.13(2) states,

- (2) An EMS professional may only perform emergency medical care that is within the Wisconsin scope of practice for the practice level at which the EMS professional is licensed or certified.

Wis. Admin Code DHS § 256.15(2)(a) states,

- (a) ... no individual may act as or advertise for the provision of services as an emergency medical services practitioner unless he or she holds an emergency medical services practitioner license...

Department Action

Based on the investigation findings, it has been determined that you provided emergency medical care without a current license, as required by Wis. Admin Code DHS §110.05, 110.13(2) and Wis. Admin Code § 256.15(2)(c).

MaryClaire Nicholson #70112333

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Your Wisconsin paramedic license expired on June 30, 2023. You provided services as a paramedic in the state of Wisconsin between July 1, 2023, and August 4, 2023, while you did not hold a valid license. The Department reviewed records and conducted interviews to confirm these facts. Furthermore, you admitted to practicing without a valid paramedic license during that time period. You have since applied to renew your paramedic license and your license has been renewed.

You provided care to at least 11 patients while not having current paramedic license. Having current paramedic licensure ensures that you have met certain standards and will adhere to best practices. As an EMS provider, you often work in environments where patient's lives are at stake and depend on your care. Maintaining current licensure assures the public and your patients that you can provide effective care in an emergency situation. Without current licensure, there is no assurance that the care you provided met those standards and practices. Your conduct shows that you provided patient care without a current paramedic license, which is contrary to the safe performance of an EMS professional.

In accordance with Wis. Admin. Code DHS §110.56, the Department will post the reprimand on the Department's website, will retain a copy of this letter of reprimand in your file, and may consider it in determining what further enforcement action may be appropriate if violations continue.

Pursuant to Wis. Admin. Code DHS § 110.56, the Department's issuance of this reprimand is a final decision of the Department and is not subject to an administrative hearing.

If you have any questions regarding this decision, please contact me at 608-266-8853 or mark.mandler@dhs.wisconsin.gov.

Sincerely,



Mark Mandler

EMS Section Manager

Office of Preparedness and Emergency Health Care

Wisconsin Department of Health Services