

DC Recommendation

The DC may recommend the following:

- **Dismissal of the Complaint:**

- A case will be dismissed if there is a lack of clear and convincing evidence of a violation of the NPA and/or Boards Rules;

OR

- There is evidence of **NO** violation of the NPA and/or Board Rules.

- **Issuance of a Notice of Warning (NOW):**

- [Wyoming Statute § 33-21-122\(e\)](#) states: “this act does not require the Board of Nursing to act upon violations of the provision of the act whenever, in the Board’s opinion, the public interest will be served adequately by a suitable written notice of warning to affected parties.”
- A Notice of Warning is **NOT** discipline.
- A Notice of Warning is **NOT** reported on the Board’s website or to the National Practitioner Data Bank/NURSYS.

- **Letter of Reprimand (LOR):**

- A LOR can be initiated by a Settlement Agreement or by an Order issued by the Board.
- A LOR **IS** discipline.
- A LOR **IS** posted on the Board’s website.
- Federal law requires a LOR to be reported to the National Practitioner Data Bank/NURSYS.

- **Restricted or Conditional License/Certificate:**

- A restricted or conditional license/certificate can be initiated by a Settlement Agreement or by an Order issued by the Board. The length of restrictions will depend on the nature of the violations.

- Conditions/Restrictions can include: Completion of Remedial Education, Wyoming Professional Assistance Program Monitoring, Practice Restrictions and Peer Review.
- Employers must be presented with a complete copy of the conditional license/certificate Order. The Order will include findings of facts, conclusions of law and the terms of the order.
- A restricted or conditional license/certificate **IS** discipline.
- A restricted or conditional license/certificate **IS** posted on the Board's website.
- Federal law requires restricted or conditional actions to be reported to the National Practitioner Data Bank/NURSYS.
- A restricted/conditioned license or certificate must be reinstated before the individual can return to practice without conditions or restrictions. The Reinstatement application is on the Board's website. See [Chapter 2, Section 12](#) of the Board's Rules for reinstatement requirements.
- **Suspension:**
 - Suspension prevents the license/certificate holder from working as a nurse or nursing assistant for a definite or indefinite period of time.
 - Suspension can be initiated by a Settlement Agreement or by an Order issued by the Board.
 - A Suspension **IS** discipline.
 - A Suspension **IS** posted on the Board's website.
 - Federal law requires Suspension actions to be reported to the National Practitioner Data Bank/NURSYS and to Office of Inspector General (OIG).
 - A suspended license or certificate must be reinstated before the individual can return to practice. The Reinstatement application is on the Board's website.

See [Chapter 2, Section 12](#) of the Board's Rules for reinstatement requirements.

- **Revocation:**

- Revocation is the removal of a licensee/certificate holder's ability to practice as a nurse or nursing assistant.
- Revocation is typically initiated by an Order issued by the Board.
- A Revocation **IS** discipline.
- A Revocation **IS** posted on the Board's website.
- Federal law requires Revocation actions to be reported to the National Practitioner Data Bank/NURSYS and to Office of Inspector General (OIG).
- A licensee or certificate holder may apply for reinstatement. The Reinstatement application is on the Board's website. See [Chapter 2, Section 12](#) of the Board's Rules for reinstatement requirements.

- **Summary Suspension:**

- Summary Suspension is a temporary order which prevents the licensee/certificate holder from practicing, pending further Board Order. Once issued, Summary Suspension will remain in place until the investigation is complete and the Board takes final action.
- A Summary Suspension **IS** discipline.
- A Summary Suspension **IS** posted on the Board's website.
- Federal law requires Summary Suspension actions to be reported to the National Practitioner Data Bank/NURSYS.
- [Wyoming Statute § 33-21-147](#) states, the Board "may summarily suspend a license and institute proceedings concomitantly if the Board finds that the **licensee presents a clear and immediate danger** to the public health, safety and welfare if allowed to continue to practice." (Emphasis added).

- [Chapter 8, Section 6](#) of the Board's Rules provides the process for Summary Suspension.
- **Stayed Disciplinary Action:**
 - "Stayed" is a legal term which means the action will not be in effect **UNLESS** the licensee/certificate holder violates a condition of an Order.
 - For example, a licensee certificate holder with a Stayed Suspension is able to work under the condition and restrictions of the Conditional order; however, if the licensee/certificate holder violates any condition of the Order, he/she is immediately suspended.
 - A Stayed action is **NOT** discipline, unless there is a violation of the Order.
 - A Stayed action is **NOT** posted on the Board's website, unless there is a violation of the Order.
 - A Stayed action is **NOT** reported to the National Practitioner Data Bank/NURSYS, unless there is a violation of the Order.