

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST
ROBIN A. KING, R.N.,

Respondent

ORDER DENYING PETITION

On September 16, 1994, the Board of Nursing issued its Final Decision and Order in the above-captioned matter. By the terms of the board's order, respondent's license to practice as a registered nurse was suspended for an indefinite period of not less than two years, with provision for successive three-month stays of the suspension conditioned upon compliance with certain conditions and limitations on the license. Among these were that respondent participate in a recognized program for the treatment of chemical dependency, that she participate in therapy a minimum of four times each month, that she submit to random urine screens for the presence of alcohol and controlled substances, and that she provide for quarterly written reports from her employer, her therapist and the monitoring program. The Order also provided that respondent refrain from access to or administration of controlled substances until such time as access and administration was approved by the board.

By letter dated January 1, 1995, respondent petitioned the board for a further three month stay of suspension of her license. In her letter, respondent recounted having administered narcotic controlled substances in her work setting on a number of occasions. Based upon that violation of the board's order, the petition of respondent for renewal of the stay of suspension of her license was denied, and her license was suspended effective January 13, 1995.

By her letter dated April 12, 1995, respondent petitioned for reinstatement of her limited license. The petition was supported by her probation officer, her treating physician and her treatment program supervisor. The board considered the matter on July 7, 1995, and granted the stay by its Order dated July 17, 1995.

The last stay of the suspension of Ms. King's license expired on November 17, 1995. Subsequently, by letter dated December 23, 1995, Ms. King notified the board that she was not seeking renewal of the stay. Accordingly, the board reimposed the suspension by its Order dated January 12, 1996.

By letter dated September 26, 1997, Ms. King petitioned the board to stay the suspension of her license. The board considered the petition at its meeting of January 30, 1998, and granted the stay by its Order dated February 10, 1998.

By letter dated February 22, 1999, Ms. King requested a further stay of the suspension of her license, and requested as well that required therapy sessions be reduced from two to one per month. The board considered the request at its meeting of March 5, 1999, and denied the request by its Order dated March 8, 1999.

By letter dated April 28, Ms. King objected to the wording of the board's discussion of the basis for its decision to deny Ms. King's requests set forth on the March 8, 1999, Order. That discussion included the following:

While there is not credible evidence that Ms. King has violated the terms of her limited license during the previous three months, there appears to be employment attendance problems, and at least a suggestion of possible failure to abstain from alcohol. Additionally, the board finds Ms. King's therapist's reports to be less than helpful in terms of evaluating her status and progress in therapy. Accordingly, the board concludes that the number of required therapy sessions should not be reduced at this time.

Had there been conclusive evidence of any violation of the limitations on her license, it is likely that the stay of the suspension would have been terminated. The cited explanation makes clear that the board had not concluded that Ms. King had in fact violated the terms of her limited license, but also sets forth the basis for the board's concerns in that regard. The basis for those concerns were not created by the board, but rather were raised by information provided to the board pursuant to the Final Decision and order in this matter. The board does not deem it appropriate to deny a request without setting forth the basis for having done so, and therefore declines to withdraw the contested portion of the March 8, 1999, Order. Accordingly,

ORDER

NOW, THEREFORE, IT IS ORDERED that the request of Robin A. King for modification of the board's Order dated March 8, 1999, is denied.

Dated this 26th day of May, 1999.

STATE OF WISCONSIN
BOARD OF NURSING

by _____

Timothy D. Burns, CRNA
Chairman