

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE DISCIPLINARY :

PROCEEDINGS AGAINST :

ANNE L. BEMUS, R.N.,

FINAL DECISION AND ORDER

RESPONDENT

LS0007078NUR

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The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Anne L. Bemus

2417 South Berry Drive

Appleton, WI 54915

Wisconsin Board of Nursing

P.O. Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

P.O. Box 8935

Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the 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

1. Anne L. Bemus (D.O.B. 09/29/52) is duly licensed in the state of Wisconsin as a registered nurse (license # 82236). This license was first granted on September 23, 1982.
2. Respondent's latest address on file with the Department of Regulation and Licensing is 2417 South Berry Drive, Appleton, WI 54915.
3. On March 21, 2000, Respondent was arrested in the city of Menasha for attempting to obtain a prescription drug (triazolam) by fraud.
4. Respondent has been participating in treatment for a major affective disorder, including depression and sleep disturbance. Respondent's therapist has stated that Respondent does not have a chemical dependence and that her attempt to obtain a prescription drug was an isolated instance of an attempt to "self-treat" insomnia.
5. Respondent is employed doing clerical work and is not currently engaged in the clinical practice of nursing.

CONCLUSIONS OF LAW

By the conduct described above, Anne L. Bemus is subject to disciplinary action against her license to practice as a registered nurse in the state of Wisconsin, pursuant to Wis. Stats. sec. 441.07(1)(b) and (d), and Wis. Adm. Code sec. N 7.04(1), (2) and (15).

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that :

1. Anne L. Bemus is REPRIMANDED.
2. The license of Respondent to practice as a nurse in the state of Wisconsin is LIMITED as follows:

#### **TREATMENT**

a. Respondent shall continue successful participation in a treatment program for her condition at a treatment facility acceptable to the Board. The treatment program shall include and Respondent shall participate in individual therapy sessions upon a schedule as recommended by her therapist, but not less than two times per month.

#### **REPORTING**

b. Respondent's therapist shall submit written reports to the Department Monitor at the following address on a quarterly basis, as directed. These reports shall assess Respondent's progress in treatment.

c. In the event that Respondent returns to the clinical practice of nursing, she shall arrange for her nursing employer to provide written reports assessing Respondent's work performance on a quarterly basis as directed to the Department Monitor.

d. Respondent shall provide to her therapist and the Department Monitor current releases which comply with federal and state law authorizing release of all medical and treatment records, which shall permit all treatment providers to disclose and discuss the progress of Respondent's treatment with the Board or its designee.

e. All required reports shall be submitted to the Department Monitor, Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, WI 53708-8935, Telephone (608) 261-7938.

#### **EXPENSES OF TREATMENT AND MONITORING**

f. Respondent shall be responsible for all costs and expenses incurred in compliance with the terms of this Order.

#### **MODIFICATION OF TERMS**

g. Respondent may petition the Board for modification of the terms of this limited license. Any such petition shall be accompanied by a written recommendation from Respondent's therapist expressly supporting the modifications sought. Denial of a petition in whole or in part shall not be considered a denial of license within the meaning of Wis. Stats. sec. 227.01(3). After two years of compliance with the terms of this Order, and upon recommendation of her therapist, Respondent may petition the Board for restoration of an unlimited license. Such restoration shall be in the sole discretion of the Board, and denial in whole or in part of Respondent's request shall not be considered a denial of license under Wis. Stats. sec. 227.01(3).

#### **CHANGE IN ADDRESS OR WORK STATUS**

h. Respondent shall report to the Board any change of employment status, residence or address within five days of such change.

i. Respondent shall provide her nursing employers with a copy of this Order before engaging in any nursing employment.

3. The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

4. This Order shall become effective upon the date of its signing.

WISCONSIN BOARD OF NURSING

Anne Brewer

7-7-00

Board Chair

Date

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