

# 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:

LINETTE K. LOBERG, R.N.,

FINAL DECISION AND ORDER

RESPONDENT

LS0108023NUR

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The parties to this action for the purposes of § 227.53, Stats., are:

Linette K. Loberg, R.N.

3163 N. 86<sup>th</sup> Street

Milwaukee, WI 53222

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 of Nursing. 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. Linette K. Loberg, R.N., Respondent, date of birth August 29, 1956, is licensed by the Wisconsin Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 71351, which was first granted September 29, 1978.
2. Respondent's last address reported to the Department of Regulation and Licensing is 3163 N. 86<sup>th</sup> Street, Milwaukee, WI 53222.
3. On September 18, 1999, the Board of Nursing (Board) issued a Final Decision and Order which suspended Respondent's license to practice as a registered nurse in the state of Wisconsin for at least one year, based on findings that Respondent had committed unprofessional conduct by engaging in inappropriate sexual contact and sexual behavior with a patient.
4. The Order allowed Respondent to petition the Board for the termination of the suspension, after one year, conditioned upon her having undergone a psychological assessment establishing her ability to safely resume practice. The Order provided that the Board could impose any limitations recommended by the assessment.

5. On September 11, 2000 and October 5, 2000, Respondent saw Dr. Charles Lodl, a psychologist, for a psychological evaluation.
6. On January 5, 2001, Dr. Lodl submitted to the Board a report of his psychological evaluation of Respondent. In his report, Dr. Lodl recommended that:
  - a. Respondent continue her medication regimen.
  - b. Respondent re-enroll in a therapy program to look at personality issues which contribute to her historical lack of judgment, her romantic involvement with the patient, factors leading to exacerbations in depression or anxiety, and assisting her in monitoring her alcohol usage.
7. On January 28, 2001, Respondent submitted a letter to the Board requesting termination of the suspension based on Respondent having complied with the terms and conditions specified by the Board in its September 18, 1999 Final Decision and Order.
8. On March 8, 2001, the Board issued a Final Decision and Order ending the suspension and reinstating Respondent's license to practice as a registered nurse. The Order also limited Respondent's license for a period of two years as follows:
  - a. Respondent shall participate in therapy with a therapist approved by the Board, and on a schedule as determined by her therapist, to look at personality issues which contribute to her historical lack of judgment, her romantic involvement with the patient, factors leading to exacerbations in depression or anxiety, and to assist her in monitoring her alcohol usage.
  - b. Respondent shall be responsible for submission of quarterly reports prepared by her therapist setting forth her activities and progress in therapy, and from her nursing employer setting forth her activities and performance in her employment.
9. Subsequent to the issuance of the limited license, Respondent has not practiced under that license. At the present time, Respondent is not employed in nursing and, due to lack of insurance coverage, has not resumed therapy. For these reasons, Respondent been unable to comply with the terms and conditions established by the Order, as set out in paragraphs 8a and 8b, above.

#### CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter pursuant to § 441.07, Stats.
2. The Wisconsin Board of Nursing has authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Effective immediately, Linette K. Loberg, R.N., shall not practice as a registered nurse in the state of Wisconsin until such time that she submits evidence sufficient to the Board or its designee that Respondent has resumed therapy as required in the Board's March 8, 2001 Order Reinstating Limited License.

2. Any request for approval of a therapist required by this order shall be mailed, faxed or delivered to:

Department Monitor

Department of Regulation And Licensing

Division of Enforcement

1400 East Washington Ave.

P.O. Box 8935

Madison, WI 53708-8935

Fax (608) 266-2264

3. The two years of limitations, originally imposed on March 8, 2001, shall begin at the time Respondent has resumed therapy and is employed as a registered nurse, whichever is later.

4. All other terms and conditions of the Board's March 8, 2001 Order Reinstating Limited License shall remain in effect.

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

Dated at Madison, Wisconsin this 2nd day of August, 2001.

Ann Brewer, R.N.

Chair

Board of Nursing