

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
TERRI L. WOLF, R.N., : LS09040210NUR
RESPONDENT. :

Division of Enforcement Case # 08 NUR 360

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Terri L. Wolf, R.N.
401 N. Page St. 2
Stoughton, WI 53589-1642

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Board of Nursing
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Terri L. Wolf, R.N., (DOB 10/02/1959) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-100650). This license was first granted on September 7, 1988.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 805 Hyland Drive, Stoughton, Wisconsin, 53589. Upon information and belief, her address is actually 401 N. Page St. 2, Stoughton, WI 53589-1642.
3. On December 13, 2007, the Board of Nursing indefinitely suspended Ms. Wolf's license to practice nursing in the State of Wisconsin, following allegations regarding improper handling of controlled substances. The suspension was immediately stayed pending Ms. Wolf's continued compliance with conditions.
4. On January 17, 2008, the stay of the suspension of Ms. Wolf's license was revoked and the suspension

reinstated, upon evidence that Ms. Wolf had tested positive for Cannabinoid on January 8, 2008.

5. Ms. Wolf continued to work as a clinical nursing instructor, with a suspended license, until her employer discovered the suspension and terminated her on September 25, 2008.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter, pursuant to Wis. Stat. § 441.07, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 3 – 4 above constitutes a violation of Wisconsin Statute § 441.06(4), and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d).

ORDER

IT IS ORDERED:

1. The stipulation of the parties is approved.

2. The Board of Nursing REVOKES the license of Terri L. Wolf, R.N. (license # 30-150551), to practice as a nurse in the State of Wisconsin and REVOKES her privilege to practice in Wisconsin pursuant to the Multi-state Nurse Licensure Compact.

3. Pursuant to Wis. Stat. § 441.07(2), the board in its discretion may reinstate a revoked license no earlier than one year following revocation, upon receipt of an application for reinstatement.

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

Dated at Madison, Wisconsin this 2nd day of April, 2009.

Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
 :
TERRI L. WOLF, R.N., : STIPULATION
RESPONDENT. : LS# _____

Division of Enforcement Case # 08 NUR 360

Terri L. Wolf, R.N., personally on her own behalf, and Jeanette Lytle, attorney for the Department of Regulation and Licensing, Division of Enforcement, stipulate:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (case # 08 NUR 360). Respondent consents to the resolution of this investigation by stipulation.
2. Respondent understands that by signing this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Respondent has been provided an opportunity to obtain the advice of legal counsel prior to signing this stipulation.
4. Respondent agrees to the revocation of her license to practice as a nurse in the State of Wisconsin, as well as her privilege to practice nursing pursuant to the Multi-State Nurse Licensure Compact. Respondent understands that pursuant to Wis. Stat. § 441.07(2), the board may reinstate a revoked license no earlier than one year following revocation, upon receipt of an application for revocation. Reinstatement is in the board's discretion after one year.
5. Respondent agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
6. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by consideration of this attempted resolution.
7. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Board of Nursing ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.
8. Respondent is informed that should the Board adopt this Stipulation, the Board's final decision and order is a public record and will be published in accordance with standard Department procedure.

9. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Terri L. Wolf, R.N.
401 N. Page St. 2
Stoughton, WI 53589-1642

Date

Jeanette Lytle, Attorney
Division of Enforcement
Wisconsin Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Date