

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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FILE COPY

BEFORE THE STATE OF WISCONSIN
BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SYLVIA C. ACHESON, R.N.
RESPONDENT.

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:
:

FINAL DECISION
AND
ORDER

The State of Wisconsin, Board of Nursing, having considered the
above-captioned matter and having reviewed the Stipulation and Proposed
Decision, makes the following:

ORDER

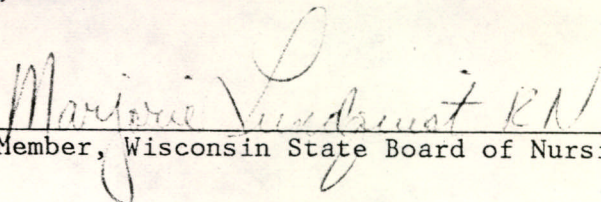
ORDER 0001411

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed
hereto, shall be and hereby is made and ordered the Final Decision of the
State of Wisconsin, Board of Nursing. Let a copy of this Order be served
on the Respondent by certified mail.

A party aggrieved by this decision may petition the Board for rehearing
within twenty (20) days after service of this Decision pursuant to
section 227.12, Wisconsin Statutes. The party to be named as Respondent in
the petition is Sylvia C. Acheson.

A party aggrieved by this Decision may also petition for a judicial
review by filing the petition in the office of the Clerk of the Circuit
Court for the county where the judicial review proceedings will be held
and serving the Board and other parties with a copy of the petition for
judicial review within thirty (30) days after service of this Decision
pursuant to section 227.16, Wisconsin Statutes. The party to be named
as Respondent in the petition is the State of Wisconsin Board of Nursing.

Dated this 28th day of January, 1983.



Member, Wisconsin State Board of Nursing

MJB:smc
371-014

BEFORE THE STATE OF WISCONSIN
BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SYLVIA C. ACHESON, R.N.,
RESPONDENT

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:

PROPOSED DECISION

FINDINGS OF FACT

1. That Sylvia C. Acheson, hereinafter called the respondent, was at all times relevant to this complaint duly licensed under the provisions of Chapter 441 of the Wisconsin Statutes to practice as a registered nurse in the State of Wisconsin.
2. That the respondent's registered nurse license is number 35003, granted on January 22, 1959.
3. That the respondent's address is 2061 North 32nd Street, Milwaukee, Wisconsin 53210.
4. That from January, 1981, to June, 1981, the respondent converted to her own use and self-administered hospital stock and patient medications while working as a registered nurse at St. Joseph's Hospital, Milwaukee, Wisconsin.
5. That said medications were an unknown number of the following Schedule II controlled substances in injectable form: Demerol 50 mg.; Demerol 75 mg.; Dilaudid 2 mg.; and Morphine 10 mg.
6. That the respondent has successfully completed a prosecution diversion program administered through the Milwaukee County District Attorney's office.
7. That on June 13, 1981, the respondent began a voluntary drug abuse program at DePaul Rehabilitation Hospital, Milwaukee, Wisconsin, and has continued to successfully participate in said program as demonstrated by Exhibits A and B.
8. That the respondent has participated in a program of random witnessed urine drug screens administered by DePaul at least once a week from June 13, 1981 to November 8, 1982 and as indicated by Exhibit B all specimens have been free of mood-altering chemicals during this period of time.
9. That on August 1, 1981, the respondent returned to the practice of nursing. A letter from the respondent's employer is attached as Exhibit C.
10. That the purpose of the diversion was the respondent's private use and the motive was for relief of psychological stress.

CONCLUSIONS OF LAW

1. That the obtaining and self-administration of controlled substances as described above constitutes moral delinquency and unprofessional conduct as defined by Wis. Adm. Code Sections N11.03(3)(b) and N11.04(1).

2. That pursuant to Section 441.07, Wis. Stats., moral delinquency and unprofessional conduct constitute bases for the board to take disciplinary action against the respondent.

ORDER

NOW, THEREFORE, IT IS ORDERED that the license to practice registered nursing of the respondent, Sylvia C. Acheson, shall be and hereby is suspended for a period of twelve months. Said suspension is hereby stayed.

IT IS FURTHER ORDERED that the license to practice registered nursing of the respondent be limited for a period of two years, commencing ten days after the date of the board's final order in this matter. The limitations are as follows:

1. The respondent must inform current or prospective employers of her history of drug abuse.

2. The respondent must inform the board of nursing of any change in her employment status within five days of such change.

3. The respondent shall not consume any unprescribed controlled substances.

4. The respondent shall successfully complete her voluntary drug abuse program at the DePaul Rehabilitation Hospital and shall cause a letter to be submitted indicating such successful completion.

5. The respondent shall submit to a monitoring program headed by a supervising therapist of random and witnessed samplings of her blood and/or urine for the presence of unprescribed controlled substances. The respondent shall be responsible for obtaining a program acceptable to the board and for all costs associated with the program. The respondent shall be granted one year of credit for the random witnessed urine screens already performed on her by the DePaul Rehabilitation Hospital, Milwaukee, Wisconsin.

6. The respondent shall cause a supervising therapist to file quarterly reports with the board addressing the respondent's status in the program. All positive drug screens and all failures to meet conditions of the program shall be reported immediately and said reports shall contain a recommendation as to whether further disciplinary action is required by the board.

7. The respondent shall cause her work supervisor to send written quarterly reports to the board evaluating the respondent's work performance.

8. The respondent may petition the board at any time during the period of limitation to revise or eliminate any or all of the above conditions.

9. Violation of any of the terms of the limited license may result in a summary suspension of the license, imposition of the stated suspension and any additional discipline the board believes is warranted based upon said violation.

MB:kh
910-276

BEFORE THE
STATE OF WISCONSIN BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

SYLVIA C. ACHESON, R.N., :
RESPONDENT. :

STIPULATION

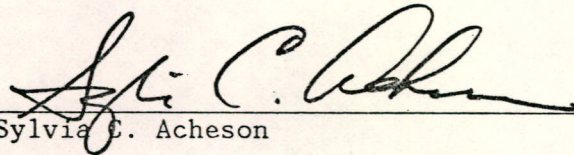
The parties in this matter agree and stipulate as follows:

1. That the respondent freely and voluntarily waives her right to a public hearing and to an attorney in this matter.
2. That the respondent and the complainant agree to the adoption by the hearing examiner and by the Board of Nursing of the Stipulation and Proposed Decision attached hereto and made a part hereof.
3. That if the terms of this Stipulation and Proposed Decision are not acceptable to the board, then the parties shall not be bound by any of the terms of the Stipulation or Proposed Decision.
4. Notwithstanding Stipulation #3, both parties agree that the Board of Nursing may grant more than one year of credit for the random and witnessed urine screens already performed on the respondent by the DePaul Rehabilitation Hospital, Milwaukee, WI.

Date

12/13/82

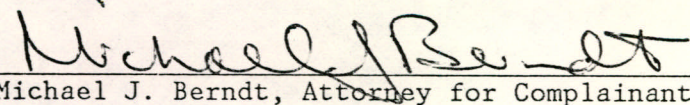
Sylvia C. Acheson



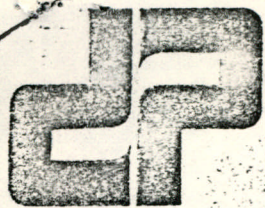
Date

12/17/82

Michael J. Berndt, Attorney for Complainant



MJB:kh
120-316



**De Paul
Bellevue
Extended Care**

a division of De Paul
Rehabilitation Hospital, Inc.
1904 E. Bellevue Place
Milwaukee, Wisconsin 53211
414-964-8200

John E. Stager, NHA
Administrator

A facility offering comprehensive
medical and rehabilitative ser-
vices to persons needing long-
term care as part of their
recovery from alcoholism or
some other drug dependency.

A. Bela Maroti
President

Roland E. Hemington, M.D.
Medical Director

Edward T. Hida
Executive Vice President

Charles J. Dreher, CPA
Vice President - Finance.

May 11, 1982

Exhibit C

Department of Regulation & Licensing
Division of Enforcement
P. O. Box 8936
Madison, Wisconsin 53708
Attn: Mr. Chris Raymond

Dear Mr. Raymond:

When I hired Sylvia Acheson on August 1, 1981, as a staff
RN, I was aware that she had a problem with chemical
dependency and had completed treatment. It is our policy
to hire impaired people, as long as they are continuously
involved in a recovery program and monitored by lab testing.

She has proven her worth as a RN, works very well with
our residents. She presents good clinical skills and has
demonstrated the responsibilities and high quality of work
we desire.

She has continued her recovery program, being well involved,
and I have observed her maturity growth in the chemical
dependence area.

She has not presented any suspicions of having returned to
using chemicals. We do not have Schedule II drugs in our
program. She is honest and dependable, and her behavior
has been appropriate.

I consider her a valuable employee.

Yours truly,

Lucy Motley RN
Lucy Motley, RN
Director of Nursing

LM:jm

RECEIVED

MAY 13 1982

Dept. of Regulation & Licensing
Division of Enforcement