

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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FILE COPY

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANNE K. REIFF, R.N.
RESPONDENT.

FINAL DECISION
AND ORDER

ORDER 0001782

The parties to this action for the purposes of Wis. Stats. sec. 227.16 are:

Anne K. Reiff, R.N.
W57 N517 Hilbert Ave.
Cedarburg, WI 53012

Board of Nursing Examining Board
P. O. Box 8936
Madison, Wisconsin 53708-8936

Department of Regulation & Licensing
Division of Enforcement
P. O. Box 8936
Madison, Wisconsin 53708-8936

A party aggrieved by this decision may petition the Board for rehearing within twenty (20) days after service of this decision pursuant to Wis. Stats. sec. 227.12. The petition in this instance would be captioned with Anne K. Reiff as the respondent.

A party aggrieved by this decision may also petition for 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 or other parties with a copy of the petition for judicial review within thirty (30) days after service of this decision pursuant to Wis. Stats. sec. 227.16. The party to be named as respondent in said petition would be the Board of Nursing.

The parties in this matter agree to the terms and conditions of the attached stipulation as the final disposition 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 K. Reiff is and was at all times relevant to this action duly licensed as a registered nurse in the State of Wisconsin (license #74455); State Board of Nursing issued this license on September 1, 1979.
2. On exact dates unknown, but between July 12, 1982 and November 9, 1982 and while employed at St. Joseph's Community Hospital in West Bend, Wisconsin, Ms. Reiff diverted unknown quantities of Meperidine Hydrochloride (Demerol) from hospital supplies for her personal use.
3. Meperidine Hydrochloride (Demerol) is a Schedule II controlled substance.
4. Ms. Reiff had no legitimate prescription for Meperidine Hydrochloride (Demerol) at any of these times.
5. To cover her diversion, Ms. Reiff replaced the Meperidine Hydrochloride she diverted with saline solution.
6. Subsequent to November 9, 1982, Ms. Reiff has completed the inpatient program at DePaul Rehabilitation Hospital in Milwaukee, Wisconsin. She has also received outpatient care at DePaul.

CONCLUSIONS OF LAW

The conduct, as described above of Anne K. Reiff, constitutes a basis for the imposition of discipline against her license under Wis. Stats. 441.07(1)(c) and (d) and Wis. Adm. Code Secs. 11.03(3)(a) and (b) and 11.04(1).

Therefore, it is hereby ORDERED:

a. The license of Anne K. Reiff is suspended for a period of one year. This suspension shall be stayed pending the successful completion of the period of license limitation outlined in paragraph b below.

b. The license of Ms. Reiff is limited for a period of 2 years as follows:

1. Ms. Reiff must, within 15 days of the effective date of this order, provide the Board with acceptable documentation, by a physician, psychiatrist or qualified therapist acceptable to the Board, indicating that she can safely practice nursing within the limitations here imposed. This documentation must specifically address the question of Ms. Reiff's dependency upon drugs, and as well indicate whether continued counseling and/or therapy is recommended.

2. Ms. Reiff must remain in any counseling program recommended by the physician, psychiatrist or therapist referred to in paragraph (b)(1).

3. Ms. Reiff must remain free of alcohol and prescribed controlled substances during the period of limitation.

4. Ms. Reiff must participate in a program of random supervised monitoring, on a weekly basis, of controlled substances and alcohol in her blood and/or urine. A breathalyzer apparatus is acceptable for monitoring consumption of alcohol.

Ms. Reiff shall be responsible for obtaining a monitoring facility and reporting system acceptable to the Board, as well as for all costs incurred in conjunction with the monitoring and reporting required.

To be an acceptable program, the monitoring facility must agree to provide random, monitored gathering of specimens for evaluation. It must further agree to file an immediate report with the Bureau of Nursing for such failures to participate as: if Ms. Reiff fails to appear upon request, or a drug screen proves positive, or if Ms. Reiff refuses to give a specimen for analysis upon the request of the monitoring facility.

5. Ms. Reiff shall arrange for written quarterly reports to the Bureau of Nursing from her employing evaluating her work performance, from her monitoring facility providing the dates and result of the screenings performed, and (if applicable) from her counseling evaluating her progress in therapy.

6. Ms. Reiff shall provide current releases complying with state and federal laws to the Bureau of Nursing for release of her records and staff evaluations from the treatment facilities where she has attended for treatment of her drug dependency.

7. Ms. Reiff may petition the Board at any time during the limitation period to revise or eliminate any of the above conditions.

8. Violation of any of the terms of the limitation may result in summary suspension of Ms. Reiff's license, the imposition of the stayed portion of the discipline and/or the imposition of additional discipline.

9. The Board recognizes Ms. Reiff's participation in a bona fide drug treatment program prior to the imposition of this discipline. Therefore, the Board sets the effective

commencement date for the period of limitation to commence retroactively on December 30, 1982. The license limitation period here imposed shall expire on a day 2 years following this date.

BOARD OF NURSING

By:

William A. Buck
A Member of the Board

3-11-83
Date

SMG:kcb
266-740

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

ANNE K. REIFF, R.N.,
RESPONDENT.

:
:
:
STIPULATION
:
:

It is hereby stipulated between Anne K. Reiff, R.N., personally on her own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. Anne K. Reiff is and was at all times relevant to this action duly licensed as a registered nurse in the State of Wisconsin (license #74455); the State Board of Nursing issued this license on September 1, 1979.

2. This Stipulation is entered into as a result of a pending investigation of Ms. Reiff's licensure by the Division of Enforcement (case file #82 Nurse 74). Ms. Reiff consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

3. Ms. Reiff understands that by the signing of 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 clear, satisfactory and convincing 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 applicable rights afforded to Ms. Reiff under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

4. 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.

5. If the Board accepts the terms of this Stipulation, the parties in this action consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent to the parties.

6. Ms. Reiff agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. The Final Decision and Order, as attached is incorporated as a part of this Stipulation.

7. The Division of Enforcement joins Ms. Reiff in recommending the Board of Nursing adopt this Stipulation and issue the attached Final Decision and Order.

3.1.83

Date

Anne K. Reiff, R.N.

Anne K. Reiff, R.N.

3.4.83

Date

Steven M. Gloe

Steven M. Gloe, Attorney
Division of Enforcement

SMG:kh
108-916