

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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BEFORE THE STATE OF WISCONSIN
BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

VIRGINIA M. MICKELSON, R.N.,
RESPONDENT

FINAL DECISION
AND ORDER

ORDER 0001807

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

Virginia M. Mickelson, R.N.
1116 Ogden Avenue, Apt. 1
Superior, Wisconsin 54880

23 Meseba Avenue
Duluth, Minnesota 55806

2031 Washington Avenue, Apt. 2
Superior, Wisconsin 54880

State of Wisconsin Board of Nursing
1400 East Washington Avenue
P.O. Box 8936
Madison, Wisconsin 53708

Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue, Room 183
P.O. Box 8936
Madison, Wisconsin 53708

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 party to be named as respondent in the petition is Virginia M. Mickelson, R.N.

A party aggrieved by this decision who is a resident of this state 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 party aggrieved resides within thirty (30) days after service of this decision. A party aggrieved by this decision who is not a resident of this state must file the petition for judicial review in the office of the clerk of circuit court for Dane County. A party aggrieved must also serve 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 Wis. Stats. sec. 227.16. The party to be named as respondent in the petition is the State of Wisconsin Board of Nursing.

A hearing was conducted in the above-captioned matter commencing at 1:45 p.m. on November 21, 1983 in Room 179A at 1400 East Washington Avenue, Madison, Wisconsin. Complainant appeared by Attorney Steven M. Gloe. Respondent did not appear nor did anyone appear purporting to represent her.

At hearing, complainant moved for default judgment pursuant to Wis. Adm. Code sec. RL 2.14. Because respondent neither answered the complaint filed herein or appeared at the time set for hearing, motion for default judgment was granted. Thereafter, complainant presented documentary evidence establishing a prima facie case.

Based upon the pleadings and other documents of record herein, the State of Wisconsin Board of Nursing makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Virginia M. Mickelson, R.N., (respondent) is duly licensed as a registered nurse in the State of Wisconsin by license number 80718 issued on October 19, 1981.
2. As a condition of Wisconsin licensure, the Board required respondent to comply with the following limitations, which had been previously imposed by the Minnesota Board of Nursing:
 - (a) Timely filing of reports reflecting active participation in an Alcoholics Anonymous chemical dependency rehabilitation program;
 - (b) Timely filing of reports from respondents work supervisor of nursing, reflecting work performance; and
 - (c) Timely filing of reports from respondent reflecting, among other things, any illicit consumption of alcohol or other mood altering chemicals.
3. The Wisconsin Board of Nursing indicated that submission of the reports referred to in paragraph 2, above, to the Minnesota Board of Nursing would satisfy the terms of the limitation imposed.
4. Respondent has failed to comply with the terms of her licensure limitation. Specifically, respondent failed to timely file reports with the Minnesota Board of Nursing on October 1, 1982 and February 1, 1983 on her participation in Alcoholics Anonymous and on her consumption of alcohol or other chemicals.
5. On or about May 27, 1982, respondent failed to report for work as a nurse at Superior Memorial Hospital in Superior, Wisconsin. Respondent was located in an intoxicated state and transported to a detoxification center, where antabuse and a program of intensive alcoholic anonymous involvement were prescribed.
6. On or about August 3, 1982 respondent tampered with Demerol supplies in the pediatric unit of Superior Memorial Hospital.
7. Subsequent to August 3, 1982, respondent failed to show up for work at Superior Memorial as scheduled. Once again, respondent was located

in an intoxicated state at her place of residence and was referred to an drug and alcohol rehabilitation center for detoxification.

8. On dates during the first three quarters of 1982, respondent appeared for work at Superior Memorial Hospital under the influence of drugs and/or alcohol.

9. On certain days during the first three quarters of 1982, respondent stole Demerol from supplies at Superior Memorial Hospital for her personal use.

CONCLUSIONS OF LAW

1. The State of Wisconsin Board of Nursing has jurisdiction in this matter pursuant to Wis. Stats. sec. 441.07.

2. Respondent's failure to adhere to the terms of the limited license granted to her constitutes grounds for disciplinary action pursuant to Wis. Stats. secs. 441.07(1)(d) and (e) and Wis. Adm. Code secs. N11.03(3)(e) and N11.04(1).

3. Respondent's conduct in connection with her employment at Superior Memorial Hospital, as set forth in Findings of Fact 5 through 9, above, constitutes grounds for disciplinary action pursuant to Wis. Stats. secs. 441.07(1)(c) and (d), and Wis. Adm. Code secs. N11.03(3)(a) and (b), and N11.04(1).

ORDER

NOW, THEREFORE, IT IS ORDERED that the license of Virginia M. Mickelson to practice as a registered nurse be, and hereby is, revoked.

Dated at Madison, Wisconsin this 12th day of December, 1983.

State of Wisconsin
Board of Nursing

Vivien DeBack, ms
by Vivien DeBack, Chairperson

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