

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

DEBRA HOFMANN, R.N.,  
RESPONDENT.

## FINAL DECISION AND ORDER

ORDER0001625

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

Debra Hofmann, R.N.  
3811 North County K  
Merrill, WI 54452

Board of Nursing  
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 Debra Hofmann, R.N., as the respondent.

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 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. That Debra Hofmann, hereinafter called the respondent, was at all times relevant to this complaint duly licensed under the provisions of Chapter 441, Wis. Stats., to practice as a registered nurse in the State of Wisconsin.

2. That the respondent's registered nurse license is #76846, issued on August 29, 1980.

3. That the respondent's address is 3811 North County K, Merrill, Wisconsin 54452.

4. That from approximately January, 1982, through June 27, 1983, the respondent converted to her own use and self-administered various controlled substances, including Percodan, Percocet-5 and Tylox several times per week while working as a registered nurse at Holy Cross Hospital, Merrill, Wisconsin.

5. That the substances listed above are controlled substances in Schedule II of the Wisconsin Uniform Controlled Substances Act.

6. That the respondent procured said medications in various ways, but did not divert medication in such a way that a patient failed to receive an ordered medication.

7. That all drugs diverted were for the respondent's private use.

8. That on July 1, 1983, the respondent began inpatient treatment at DePaul Rehabilitation Hospital, Milwaukee, Wisconsin.

9. That on July 29, 1983, the respondent completed inpatient therapy and was admitted to the outpatient treatment program for impaired nurses. The respondent's rehabilitative efforts are described by the attached exhibits.

10. That the respondent has participated in random witnessed urine drug screens since July, 1983, and all such screens have proved negative.

11. That the respondent has resumed employment as a registered nurse as detailed by the attached exhibits.

#### CONCLUSIONS OF LAW

1. That the conversion and self-administration of controlled substances as described above constitutes moral delinquency and unprofessional conduct as defined by Wisconsin Administrative Code sec. N 11.03(3)(b) and N 11.04(1).

2. That pursuant to sec. 441.07, Wis. Stats., unprofessional conduct and violations of Board rules, constitute bases for the Board to take disciplinary action against the respondent.

NOW, THEREFORE, IT IS ORDERED that the license to practice registered nursing of the respondent, Debra Hofmann, shall be and hereby is suspended for a period of one (1) year. Said suspension is hereby stayed pending successful completion of the two year period of limitation outlined below.

IT IS FURTHER ORDERED that the license to practice registered nursing of the respondent shall be limited for a period of two years, commencing fifteen (15) days following the date of the Board's final decision and order in this matter. The limitations are as follows:

1. The respondent must inform current and 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 (5) days of such change.

3. The respondent shall not consume any unprescribed prescription drugs, controlled substances, or alcohol.

4. The respondent shall continue with her outpatient program as set forth in the attached exhibits.

5. The respondent must participate in a program of random and witnessed monitoring of her blood or urine for the presence of controlled substances and alcohol. Said monitoring shall take place on at least a twice a month basis. In consideration of the respondent's negative drug screens since July, 1983, the Board grants the respondent 12 months of credit toward the two year monitoring requirement.

6. The respondent is responsible for obtaining a monitoring facility and reporting system acceptable to herself and to the Board of Nursing as an accurate and reliable provider of the required evaluations. The respondent shall be responsible for all costs incurred in conjunction with the monitoring and reporting program. The respondent's current program is acceptable to the Board.

7. To be an acceptable program, the monitoring facility must agree to provide random, monitored gathering of specimens for evaluation. The facility must further agree to file an immediate report with the Board of Nursing and the supervising therapist in the event of the following acts of non-participation:

- a. If the respondent fails to appear upon request.
- b. If the monitoring screen proves positive.

- c. If the respondent refuses to provide a specimen for analysis upon the request of the facility.

In the event of a positive screen, the monitoring facility must agree to retain the specimen for provision to the Division of Enforcement.

8. The monitoring program shall be overseen by a supervising therapist. The respondent shall cause the supervising therapist to file quarterly reports with the Board of Nursing 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 report shall contain a recommendation as to whether further disciplinary action is required by the Board. If the supervising therapist deems that blood or urine screens in addition to those required under paragraph 5 are necessary, the respondent shall be required to submit to such screens.

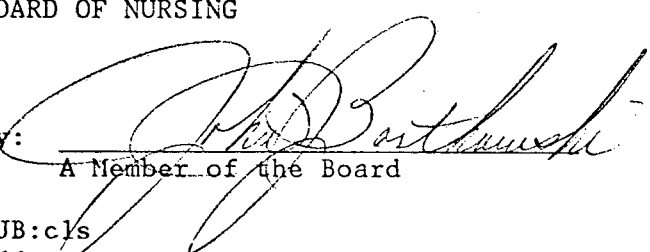
9. The respondent shall cause her work supervisor to send written quarterly reports to the Board of Nursing evaluating the respondent's work performance.

10. 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.

11. Violation of any of the terms of this Order may result in a summary suspension of the respondent's license, the imposition of the stayed portion of the discipline and/or the imposition of other discipline as the Board may deem appropriate.

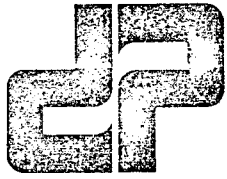
BOARD OF NURSING

By:

  
A Member of the Board

7-19-84  
Date

MJB:cls  
266-197



**dePaul**  
Rehabilitation  
Hospital, Inc.

4143 South 13th St.  
Milwaukee, WI 53221  
414-281-4400

Roland E. Herrington, M.D.  
Director  
Impaired Professional Program

January 9, 1984

Ms. Katie Kyndley, R.N.  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8936  
Madison, WI 53708

Dear Katie:

This is a written progress report and summary of Debra Hofmann's treatment at De Paul Rehabilitation Hospital, Milwaukee.

Debbie entered inpatient treatment on July 1, 1983 and was discharged on July 29, 1983 with the following recommendations:

- 1) Transfer to fifth floor.
- 2) Recovery Home when bed available.
- 3) Two year Impaired Professional Program consisting of random urine screens, professional support group and professional and community AA and sponsor and involvement of spouse in Alanon.

Debbie resided at the recovery home, Cramer House, approximately three months and fully participated in the Day Hospital Program while there. She was discharged from Cramer House to her home in Merrill, WI on November 21, 1983. She made consistent progress in her recovery during this time and continues to do so. Debbie is currently employed at Holy Cross Hospital, Merrill. Initially, she was functioning in a non-nursing capacity upon return to work. However, as of January 9, 1984, Debbie will be returning to work on a Med-Surg unit as well as ICU as needed. On a part-time basis, Debbie will also be working every other weekend at Sacred Heart Hospital - AODA unit in Tomahawk.

All of Debbie's urine screens have remained negative thus far for mood altering chemicals and at this time is fully complying with all aspects of her treatment plan in the Impaired Professional Program.

RECEIVED

JAN 11 1984

Dept. of Regulation & Licensing

*Handwritten:* KK 1-11-84 [Signature]

BEFORE THE STATE OF WISCONSIN  
BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :

STIPULATION

DEBRA HOFMANN, R.N., :  
RESPONDENT. :

-----  
It is hereby stipulated by the parties of follows:

1. By signing this Stipulation the Respondent voluntarily and knowingly waives her rights in this matter, 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 witnesses against her, the right to call witnesses on her behalf and to compel their attendance by a subpoena, the right to testify on her own behalf, the right to file objections to any proposed decision and 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 by the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

2. This Stipulation and attached Final Decision and Order shall be submitted to the Board of Nursing for purposes of reaching a final resolution in this matter.

3. If the terms of this Stipulation and attached Final Decision and Order are not acceptable to the Board of Nursing then neither of the parties shall be bound by any of the terms.

4. The parties urge acceptance by the Board of Nursing of this Stipulation and attached Final Decision and Order.

Michael J. Berndt  
Michael J. Berndt  
Attorney for Complainant

6/29/84  
Date

Debra Hofmann RN  
Debra Hofmann, R.N.,  
Respondent

6/29/84  
Date

MJB:cls  
6437

Debbie continues to make positive gain and is well motivated in her recovery efforts. She is attending AA meetings regularly on a weekly basis and is assisting in the establishment of an NA group in Tomahawk.

If you need additional information, please feel free to contact me at (414) 281-4400 x581.

Sincerely,

*Nancy Cervenansky, R.N.*

Nancy Cervenansky, R.N., B.S.N.  
Coordinator  
Impaired Nurse Program

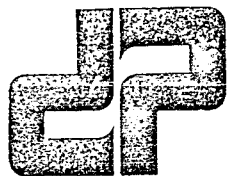
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RECEIVED

JAN 11 1984

Dept. of Regulation & Licensing





**dePaul**  
Rehabilitation  
Hospital, Inc.

4143 South 13th St.  
Milwaukee, WI 53221  
414-281-4400

Roland E. Herrington, M.D.  
Director  
Impaired Professional Program

May 2, 1984

Mrs. Chelfs  
Director of Nursing  
Holy Cross Hospital  
South Center Avenue  
Merril, WI 54701

Dear Mrs. Chelfs:

This is a quarterly report on the progress and current status of Debbie Hofmann in the Impaired Professional Program at De Paul Rehabilitation Hospital, Milwaukee. Immediately prior to writing this report, I had the opportunity to meet with Debbie and assess her recovery status.

As I am sure you are aware, Debbie's mother recently expired. Debbie is expressing feelings of grief and loss but appears to be handling the situation well. During her last visit to De Paul, Debbie had an opportunity to obtain spiritual support and guidance.

Her current recovery program consists of the following:

- 1) Random witnessed urine screens, all of which have remained negative thus far for mood altering chemicals.
- 2) Continued attendance at approximately two to three AA/NA meetings weekly.
- 3) Couples counseling/support group one time weekly at Sacred Heart Hospital, Tomahawk.

During a recent phone conversation with Judy Buchler, we mutually agreed that Debbie continues to exhibit episodes of insecurity and instability. However, Debbie does have insight into this and at this point in her recovery does not seem unduly significant. Debbie continues to exhibit to seek support from recovering nurses she met during treatment at De Paul and visits Milwaukee periodically.

She continues to be employed at both Holy Cross Hospital and Sacred Heart Hospital, Tomahawk - AODA Unit. Dr. Charles Goodell, Medical Director at Sacred Heart in a recent phone conversation provided positive feedback regarding Debbie's professional functioning and felt she was progressing well in recovery also.

If you need additional information, please feel free to contact either myself or Dr. Richard Hauser at anytime at (414) 281-4400 x581.

Sincerely,

*Nancy Cervenansky, R.N.*

Nancy Cervenansky, R.N., B.S.N.  
Coordinator  
Impaired Nurse Program

*Richard Hauser, M.D.*

Richard Hauser, M.D.  
Medical Director

cc: James Krudwig, Investigator  
State Board of Nursing