

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

PATRICIA RAE KINDRED, R.N.,
RESPONDENT.

FINAL DECISION
AND ORDER

ORDER 0001799

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

Patricia Rae Kindred, R.N.
205 Dunbar Street
Waukesha, WI 53186

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

Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8936
Madison, WI 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 Patricia Rae Kindred 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. Patricia Rae Kindred, R.N., is duly licensed in the State of Wisconsin as a registered nurse (license #78461); this license was issued on April 2, 1981.

2. At all times relevant herein, Ms. Kindred was employed as a registered nurse in the critical care unit at Waukesha Memorial Hospital, Waukesha, Wisconsin.

3. Beginning on approximately November 15, 1982, and continuing through December 3, 1982, Ms. Kindred diverted an unknown number of Tylenol with codeine (Tylenol #3) tablets from patient supplies at Waukesha Memorial Hospital.

4. Tylenol #3 is a Schedule III controlled substance.

5. On January 20, 1983, Ms. Kindred completed the in-patient program for impaired nurses at DePaul Rehabilitation Hospital in Milwaukee, Wisconsin, and was given a scheduled discharge.

6. On or about October 19, 1983, Ms. Kindred was working the a.m. shift in the critical care unit at Waukesha Memorial Hospital.

7. At approximately 6:30 a.m. on that day, patient G.G. came to the emergency room at Waukesha Memorial. The emergency room diagnosis indicated "suspect acute inferolat (sic) MI" i.e., inferolateral myocardial infarction. Patient G.G. is a 29 year old male.

8. In the emergency room, G.G. received nitroglycerin sublingually and dextrose and water via IV. Medication orders for patient G.G. contained, among other things, an order for two to five mg of morphine sulfate as need for pain.

9. Patient G.G. was transferred to the critical care unit and to Ms. Kindred's care at approximately 8:30 a.m.

10. A discrepancy exists concerning Ms. Kindred's October 19, 1983, charting for G.G.: Patient G.G. would assert that he did not complain of midsternal ache, midsternal pressure and did not receive nitroglycerin or morphine sulfate. Ms. Kindred would testify that she accurately reported these symptoms and administered medication as charted.

CONCLUSIONS OF LAW

By the conduct described above, Ms. Kindred is subject to disciplinary action against her license under Wis. Stats. sec. 441.07(1)(c) and (d) and Wis. Adm. Code secs. N11.03(3)(a)(b) and (c), and N 11.04(1).

Therefore, it is hereby ORDERED:

a) The license of Ms. Kindred is suspended for an indefinite period until Ms. Kindred demonstrates to the Board successful compliance with the conditions outlined below.

1. Ms. Kindred must provide the Board of Nursing with adequate and current documentation from a physician, psychiatrist or therapist acceptable to the Board indicating that she can safely practice nursing. This documentation must specifically address the question of Ms. Kindred's dependency upon drugs, and as well indicate whether continued counseling and/or therapy is recommended.
2. Ms. Kindred must cooperate in any counseling program recommended by the physician, psychiatrist, or therapist referred to in paragraph (1) above.

Upon request of the Board, Ms. Kindred must provide the Board with a current release, complying with state and federal laws, authorizing release of her counseling and/or treatment records.

3. Ms. Kindred must remain free of unprescribed controlled substances for a two-year period prior to reinstatement of her license. This required abstinence must be demonstrated by participation in a program of random supervised monitoring, on a weekly basis, of controlled substances in Ms. Kindred's blood and/or urine.

Ms. Kindred shall be responsible for obtaining a monitoring facility acceptable to the Board, as well as for all costs incurred in conjunction with the monitoring 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 maintain complete records of the dates and results of the screens performed, as well as of such failures to participate as: if Ms. Kindred fails to appear upon request, or if a drug screen proves positive, or if Ms. Kindred refuses to give a specimen for analysis upon request of the monitoring facility.

4. Ms. Kindred may petition the Board at any time following an assessment performed pursuant to paragraph 1, above, for the issuance of a license with limitations consistent with the conditions set forth in this order and the Board's monitoring of impaired nurses.

c. This Order shall become effective fifteen (15) days following the date of signature by a member of the Board.

BOARD OF NURSING

By: *Vivian A. Back*
A Member of the Board

3-30-84
Date

SMG:lm
999-767

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :

STIPULATION

PATRICIA RAE KINDRED, R.N., :
RESPONDENT. :

It is hereby stipulated between Patricia Rae Kindred, R.N., personally and by her Attorney Peter Plaushines, and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This stipulation shall be presented to the Board of Nursing to form the basis for the final decision and order in this matter.

2. Ms. Kindred 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 the 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 other applicable rights afforded to Ms. Kindred under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

3. Ms. Kindred agrees to the adoption of the attached Final Decision and Order by the Board of Nursing.

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 to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.

6. Ms. Kindred's current licensure card is attached to this Stipulation.

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

Patricia Rae Kindred
Patricia Rae Kindred, R.N.

3/8/84
Date

Peter J. Plaushines
Peter Plaushines
Attorney for Ms. Kindred

3/8/84
Date

Steven M. Gloe
Steven M. Gloe, Attorney
Division of Enforcement

3/12/84
Date

SMG:cls
140-251



State of Wisconsin

DEPARTMENT OF REGULATION AND LICENSING
BOARD OF NURSING

COMMITTED TO EQUAL OPPORTUNITY IN EMPLOYMENT AND LICENSING

REGISTERED NURSE

NO. 73461

EXPIRES: JAN 31, 1986

PATRICIA R KINDRED

611 HAMILTON AVENUE
WAUKESHA

WI 53186

The named person has complied with Wisconsin Statutes
and is authorized to engage in the practice indicated.

Signature of Licensee:

NOT TO BE REPRODUCED