

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :

RUTH BLUM, R.N.,
RESPONDENT. :

FINAL DECISION
AND ORDER

ORDER 0001716

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

Ruth Blum, R.N.
712 Glenview Dr.
Madison, WI 54716

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 Ruth Blum, 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 State of Wisconsin 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. Ruth Blum, R.N. is duly licensed as a registered nurse in the State of Wisconsin (license number 46039); this license was issued on November 15, 1966.

2. On February 22, 1983, Ms. Blum commenced treatment for chemical dependency and abuse at DePaul Rehabilitation Hospital in Milwaukee, Wisconsin. Ms. Blum was discharged from inpatient treatment at DePaul on April 8, 1983 to Milwaukee Psychiatric Hospital, where she was managed and stabilized for a bipolar affective disorder (manic depression). Ms. Blum returned to DePaul on April 20, 1983 and completed the inpatient portion of the DePaul program on May 2, 1983. Ms. Blum returned to DePaul on Lithobid (lithium carbonate) 30 mg P.O. qid and has been maintained on that medication to the present.

3. After inpatient treatment, Ms. Blum transferred to Cramer House, a halfway house associated with DePaul, for two months. She was then discharged with an after-care plan which included AA attendance, weekly random urine samplings, and continued psychiatric treatment for manic depression.

4. Ms. Blum subsequently returned to work as a registered nurse at St. Mary's Hospital in Madison, Wisconsin.

5. Ms. Blum has had at least weekly random urine screens for controlled substances from February 22, 1983 to the present. All of these screens have proved negative for the presence of unprescribed controlled substances.

CONCLUSIONS OF LAW

Ruth Blum, R.N., by the conduct described above, is subject to the imposition of disciplinary action against her license pursuant to Wis. Stats. 441.07(1)(c) and (d).

Therefore, it is hereby ORDERED:

(a) The license of Ms. Blum is suspended for a period of one year. The suspension shall be stayed pending the successful completion of the period of license limitation outlined in paragraph (b), below.

(b) The license of Ms. Blum is limited for a period of two years as follows:

- i. Ms. Blum must remain in a program of acceptable to the board for the treatment of chemical dependency. As a part of her treatment, Ms. Blum must attend therapy on a schedule as recommended by her therapist; attendance, however shall be required at least one time every other week. In addition, Ms. Blum must attend Alcoholics Anonymous or Narcotics Anonymous at least one time per week.
- ii. Upon request of the Board, Ms. Blum must provide the board with current releases complying with state and federal laws, authorizing release of her counseling and/or treatment records.

Ms. Blum must remain free of alcohol and unprescribed controlled substances during the period of limitation.

- iii. Ms. Blum must participate in a program of random, supervised monitoring, on the basis of at least one time per week, for controlled substances and alcohol in her blood or urine. If the therapist supervising Ms. Blum's plan of care deems that additional blood or urine screens are necessary, Ms. Blum must submit to those screens.

Ms. Blum 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 and monitored gatherings of specimens for evaluation. It must further agree to file an immediate report with the Board of Nursing upon such failure to participate as: if Ms. Blum fails to appear upon request; or if a drug or alcohol screens proves positive; or if Ms. Blum refuses to give a specimen for analysis upon the request of the monitoring facility.

- iv. Ms. Blum shall arrange for written quarterly reports to the Board of Nursing from her employer evaluating her work performance; from her monitoring facility providing the dates and results of the screenings performed; from her counselor, evaluating her attendance and progress in therapy; and from herself, reporting her attendance AA or NA meetings.
- v. Ms. Blum may petition the Board at any time during the limitation to revise or eliminate any of the above conditions.
- vi. Violation of any of the terms of limitation of this Order may result in summary suspension of Ms. Blum's license, the imposition of the stayed portion of discipline, and/or the imposition of additional discipline.

c. This Order shall become effective fifteen (15) days following the date of its signing. In consideration of Ms. Blum's regimen of treatment and monitoring which commenced on April 20, 1983, the Board grants Ms. Blum 20 months' credit toward the two-year limitation period.

BOARD OF NURSING

By: 

A Member of the Board

1-22-85
Date

SG:dms
371-001

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :
: STIPULATION
RUTH BLUM, R.N., :
RESPONDENT. :

It is hereby stipulated between Ruth Blum, R.N., personally on her own behalf and Steven M. Gloe, attorney for the Department of Regulation and Licensing, Division of Enforcement as follows:

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. Blum 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, in which the State has the burden of proving the 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 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 re-hearing; and all other applicable rights afforded to Ms. Blum under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.
3. Ms. Blum agrees to the adoption of the attached Final Decision and Order by the Board of Nursing.
4. This stipulation is entered into as a result of a pending investigation of Ms. Blum's licensure by the Division of Enforcement (case file #83 NURSE 54). Ms. Blum consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
5. 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.
6. 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.
7. Ms. Blum's current licensure card is attached to this stipulation. Upon acceptance of the stipulation by the Board of Nursing, the license shall be re-issued with limitations in accordance with the

attached Final Decision and Order. If the Board does not accept this stipulation, the license of Ms. Blum shall be returned to her with the notice of the Board's decision not to accept the stipulation.

8. Also attached for the Board's review in conjunction with this stipulation are copies of reports on her treatment and progress in treatment from Ms. Blum's health care providers.

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

Ruth Ann Blum RN
Ruth Blum, R.N.

11-13-84
(date)

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

11-24-84
(date)

SMG:dms
140-384