

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

ORDER 0001753

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. Paul G. Ketarkus (hereinafter referred to as Mr. Ketarkus) is duly licensed as a registered nurse in the state of Wisconsin (license number 67201); this license was issued on April 1, 1977.

2. On exact dates unknown, but for a period of approximately one year beginning in March, 1984, Mr. Ketarkus diverted quantities of cocaine from the emergency room supplies of his employer, Madison General Hospital, 202 South Park Street, Madison, Wisconsin.

3. During that period, Mr. Ketarkus retained unused portions of cocaine instead of wasting the portions according to hospital policy. Mr. Ketarkus falsified entries in hospital narcotics records to cover for his diversion.

4. On April 2, 1985, Mr. Ketarkus commenced treatment for chemical dependency in Madison General Hospital's Newstart BETA program. Mr. Ketarkus completed this program on April 25, 1985; he is currently participating in a ten week aftercare program, weekly group therapy, and NA/AA attendance.

CONCLUSIONS OF LAW

By the conduct described above, Paul G. Ketarkus is subject to disciplinary action against his license, pursuant to Wis. Stats. secs. 441.07(1)(c) and (d) and Wis. Adm. Code secs. N 11.03(3)(a) and (b) and N 11.04(1).

Therefore, it is hereby ORDERED:

(a) The license of Mr. Ketarkus is SUSPENDED for a period of not less than two (2) years. The suspension shall be stayed for a period of three (3) months, conditioned upon compliance with the conditions and limitations outlined in paragraph (b), below.

i. Mr. Ketarkus may apply for consecutive three month extensions of the stay of suspension, which shall be granted upon Mr. Ketarkus' acceptable demonstration of compliance with the conditions and limitations imposed on Mr. Ketarkus' practice during the prior three month period.

ii. If the Board denies the petition by Mr. Ketarkus for an extension, the Board shall afford Mr. Ketarkus an opportunity for hearing in accordance with current regulations governing denial proceedings, upon timely receipt of a request for hearing.

iii. Upon successful compliance for a period of two years with the terms of paragraph (b), below, the Board shall grant a petition by Mr. Ketarkus for a return of full licensure.

iv. In consideration of Mr. Ketarkus regime of treatment commencing on April 2, 1985, the Board reduces the two year compliance period by 3 months.

(b) CONDITIONS OF STAY.

i. Mr. Ketarkus must remain in a program acceptable to the Board for the treatment of chemical dependency. As a part of his treatment, Mr. Ketarkus must attend therapy on a schedule that is recommended by his therapist; attendance, however, shall be required at least one time per week. In addition, Mr. Ketarkus must attend Alcoholics Anonymous or Narcotics Anonymous at least two times per week.

ii. Upon request of the Board, Mr. Ketarkus must provide the Board with current releases complying with state and federal laws, authorizing release of his counseling, treatment and monitoring records.

iii. Mr. Ketarkus must remain free of alcohol and controlled substances not prescribed for a valid medical purpose during the period of limitation.

iv. Mr. Ketarkus must participate in a program of random, witnessed monitoring, on the basis of at least one time per week for controlled substances and alcohol in his blood and/or urine. If the therapist supervising Mr. Ketarkus' plan of care or his employer deems that additional blood or urine screens are warranted, Mr. Ketarkus must submit to those screens.

Mr. Ketarkus 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 witnessed gatherings of specimens for evaluation. It must further agree to file an immediate report with the Board of Nursing upon such failures to participate as: if Mr. Ketarkus fails to appear upon request; or if a drug or alcohol screen proves positive; or if Mr. Ketarkus refuses to give a specimen for analysis upon a request authorized under the terms of this order.

v. Mr. Ketarkus shall arrange for written quarterly reports to the Board of Nursing from his employer evaluating his work performance; from his monitoring facility providing the dates and results of the screenings performed; and from his counselor evaluating his attendance and progress in therapy as well as evaluating his level of participation at AA/NA meetings.

vi. Mr. Ketarkus shall report to the Board within five (5) days of any change in his employment status.

vii. Mr. Ketarkus shall not have access to controlled substances in his work setting, unless such access is permitted only under direct


personal supervision. The employer reports for Mr. Ketarkus shall include a description of any access to controlled substances by Mr. Ketarkus.

(c) Mr. Ketarkus may petition the Board in conjunction with any application for an additional stay to revise or eliminate any of the above conditions.

(d) Violation of any of the terms of this order may result in the summary suspension of Mr. Ketarkus' license; the denial of an extension of the stay of suspension; the imposition of additional conditions and limitations on Mr. Ketarkus' practice; or the imposition of other additional discipline.

(e) This order shall become effective ten (10) days following the date of its signing.

BOARD OF NURSING

By: 
A Member of the Board

7/19/85
Date

SG:ma
143-312

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :
 :
PAUL G. KETARKUS, R.N., : STIPULATION
RESPONDENT. :

It is hereby stipulated between Paul G. Ketarkus, R.N. personally on his own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This stipulation is entered into as a result of a pending investigation of Mr. Ketarkus' licensure by the Division of Enforcement (case file 85 NURSE 43). Mr. Ketarkus consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Mr. Ketarkus understands that by the signing of this stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, 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 him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; 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 to all other applicable rights afforded to Mr. Ketarkus under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

3. Mr. Ketarkus 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 the 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. Attached to this stipulation is the current licensure card of Mr. Ketarkus. If the Board accepts the stipulation, his license shall be reissued in accordance with the terms of the attached Final Decision and Order. If the Board does not accept this stipulation, the license

of Mr. Ketarkus shall be returned to him with a notice of the Board's decision not to accept the stipulation.

7. Also attached to this stipulation are copies of Mr. Ketarkus' health care records for review by the Board in conjunction with the consideration of the attached Final Decision and Order.

8. The Division of Enforcement joins Mr. Ketarkus in recommending the Board of Nursing adopt this stipulation and issue the attached Final Decision and Order.

Paul G. Ketarkus
Paul G. Ketarkus

11 JUN 85
Date

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

12 June 85
Date

SMG:kcb
5166