

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 :

LAUREL DOBBERFUHL, R.N.,
RESPONDENT. :

FINAL DECISION AND ORDER

ORDER 0001719

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

Laurel Dobberfuhl
13235 North Granville Rd.
Mequon, WI 53092

Board of Nursing Examining Board
P.O. Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708-8935

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 Laurel Dobberfuhl 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. Laurel Dobberfuhl is duly licensed as a registered nurse in the State of Wisconsin (License #48018); this license was issued on December 27, 1967.
2. Ms. Dobberfuhl is suffering from the disease of chemical dependency. On or about May 1, 1985, Ms. Dobberfuhl entered the Elm Brook inpatient drug and alcohol treatment program in Brookfield, WI. She was discharged from that program on May 30, 1985 and entered the McBride Center for the Impaired Professional. She resided at a McBride Center Halfway House until June 28, 1985. At present, Ms. Dobberfuhl is participating in the third (outpatient) phase of the McBride Program.
3. Ms. Dobberfuhl has returned to work as a registered nurse at Froedert Hospital in Milwaukee, WI.
4. Ms. Dobberfuhl has had random witnessed urine drug screens on a weekly basis from June 3, 1985 to the present. All of the screens have proved negative for the presence of unprescribed controlled substances.

CONCLUSIONS OF LAW

By the conduct described above, Ms. Dobberfuhl is subject to disciplinary action against her license pursuant to Wis. Stats. sec. 441.07(1)(c) and (d).

Therefore, it is hereby ORDERED:

- (a) The license of Ms. Dobberfuhl is SUSPENDED FOR A PERIOD OF NOT LESS THAN TWO (2) YEARS. This suspension shall be in STAYED for a period of three (3) months, conditioned upon compliance with the conditions AND LIMITATIONS outlined in Paragraph (b), below.
 - i. Ms. Dobberfuhl may apply for consecutive three month extensions of the stay of suspension, which shall be granted upon Ms. Dobberfuhl's acceptable demonstration of compliance with the conditions and limitations imposed on Ms. Dobberfuhl's practice during the prior three month period.
 - ii. If the Board denies a petition by Ms. Dobberfuhl for an extension, the Board shall afford Ms. Dobberfuhl an opportunity for a 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 Ms. Dobberfuhl for a return of full licensure.
 - iv. In consideration of Ms. Dobberfuhl's regime of treatment since May 1, 1985, the Board reduces the two year compliance period by 8 months.

(b) CONDITIONS OF STAY

- i. Ms. Dobberfuhr must remain in a program acceptable to Board for the treatment of chemical dependency. As a part of this treatment, Ms. Dobberfuhr must attend therapy on a schedule that is recommended by her therapist; attendance, however, shall be required at least one time per week. In addition, Ms. Dobberfuhr must attend alcohol anonymous or narcotics anonymous at least one time per week.
- ii. Upon request of the Board, Ms. Dobberfuhr must provide the Board with current releases complying with state and federal laws authorizing release of her counseling, treatment and monitoring records.
- iii. Ms. Dobberfuhr must remain free of alcohol and controlled substances not prescribed for a valid medical purpose during the period of limitation.
- iv. Ms. Dobberfuhr must participate in the program of random, witnessed monitoring for controlled substances and alcohol in her blood and/or urine. Drug screens are required at least four times monthly. If the therapist supervising Ms. Dobberfuhr's plan of care or her employer deems that additional blood or urine screens are warranted, Ms. Dobberfuhr must submit to those screens.

Ms. Dobberfuhr shall be responsible for obtaining a monitoring facility and reporting system acceptable to the Board as well as 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 Ms. Dobberfuhr fails to appear upon request; or if a drug or alcohol screen proves positive; or if Ms. Dobberfuhr refuses to give a specimen for analysis upon a request authorized under the terms of this order.

- v. Ms. Dobberfuhr 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 screenings performed; and from her counselor evaluating her attendance and progress in therapy as well as evaluating her level of participation at AA/NA meetings.
- vi. Ms. Dobberfuhr shall report to the Board within five (5) days of any change in her employment status.

(c) Ms. Dobberfuhr 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 terms of this order may result in the summary suspension of Ms. Dobberfuhl's license; the denial of an extension of a stay of suspension; the imposition of additional conditions and limitations on Ms. Dobberfuhl's 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: *Suzanne G. Schuler*
A Member of the Board

1/15/86
Date

SG:cls
087-851

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :
: STIPULATION
LAUREL DOBBERFUHL, R.N., :
RESPONDENT :

It is hereby stipulated between Laurel Dobberfuhl, R.N., personally on her own behalf and Steven M. Gloe, Attorney for 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 Ms. Dobberfuhl's licensure by the Division of Enforcement (Case File #85 NURSE 56). Ms. Dobberfuhl consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Ms. Dobberfuhl 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 those 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. Dobberfuhl under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

3. Ms. Dobberfuhl 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 the 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 to the parties.

6. Attached to this stipulation is the current licensure card of Ms. Dobberfuhl. If the Board accepts the stipulation, her license shall be reissued in accordance with the terms of the attached Final Decision and Order. If the Board does not accept the stipulation, the license of Ms. Dobberfuhl shall be returned to her with a notice of the Board's decision not to accept the stipulation.

7. Also attached to this stipulation are copies of Ms. Dobberfuhr's 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 Ms. Dobberfuhr in recommending the Board of Nursing adopt this stipulation and issue the attached Final Decision and Order.

Laurel Dobberfuhr, R.N.
Laurel Dobberfuhr, R.N.

1-4-86
Date

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

1. 7. 86
Date

SG:cls
140-382