

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 :

DAWN RAE ROBERTS, R.N., :
RESPONDENT. :

FINAL DECISION AND ORDER

ORDER 0001728

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

Dawn Rae Roberts
989 Armour Road
Oconomowoc, WI 53066

Board of Nursing
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 Dawn Rae Roberts 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 Dawn Rae Roberts, hereinafter called the respondent, was at all times relevant to this proceeding duly licensed under the provisions of

Chapter 441, Stats., to practice as a registered nurse in the State of Wisconsin.

2. That the respondent's registered nurse license is #54736.

3. That the respondent's address is 989 Armour Road, Oconomowoc, Wisconsin 53066.

4. That from July, 1984, through December, 1985, the respondent converted to her own use and self-administered Tylenol #3, a controlled substance, on an unknown number of dates while working as a registered nurse at her place of employment in Pewaukee, Wisconsin.

5. That the respondent has no current plans to continue practicing nursing.

CONCLUSIONS OF LAW

1. That by engaging in the activities above, the respondent has engaged in unprofessional conduct as defined by the Wis. Adm. Code, sections N11.04 (Jan. 1980, No. 289) and N7.04 (September, 1985, No. 357).

2. That pursuant to section 441.07, Stats., the Board of Nursing has jurisdiction to take disciplinary action against the respondent.

ORDER

1. NOW, THEREFORE, IT IS ORDERED that the Board of Nursing accepts the voluntary surrender of the respondent's license as a registered nurse, #54736.

2. That the above Findings of Fact, Conclusions of Law and this Order constitute a final decision in this matter and may be considered by the board should the respondent reapply for licensure.

BOARD OF NURSING

By:

Lynne A. Schuler
A Member of the Board

7/21/86

Date

MJB:rb
862-456

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

DAWN RAE ROBERTS, R.N., :
RESPONDENT. :

STIPULATION

The parties in this matter agree and stipulate as follows:

1. That the respondent understands by signing the stipulation that she 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 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 own behalf and to compel their attendance by subpoena, the right to testify in her own behalf, 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 her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

2. That this stipulation and attached final decision and order shall be submitted to the Board of Nursing for purposes of reaching a final resolution of this matter.

3. That the respondent pleads no contest and requests that the Board adopt this stipulation and attached final decision and order.

4. That the complainant also urges acceptance and adoption of this agreement.

5. If the terms of this stipulation and attached final decision and order are not acceptable to the board, then neither of the parties shall be bound by any of the terms.

6. The respondent's current licensure card is attached to this stipulation.

7/3/86
Date

Michael J. Berndt
Michael J. Berndt, Attorney
Division of Enforcement

7/17/86
Date

Dawn Rae Roberts
Dawn Rae Roberts, R.N., Respondent