

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST : ORDER GRANTING  
: A LIMITED LICENSE  
JACK ROBERT HERKOWSKI, R.N., :  
RESPONDENT. :  
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On July 19, 1985, the Board of Nursing issued its Final Decision and Order in the above-captioned matter suspending for an indefinite period of not less than one year the license of Jack Robert Herkowski (respondent) to practice as a professional nurse in the State of Wisconsin. By the terms of the Board's Order, respondent was permitted to petition for reinstatement of his license after one year. Any such petition was to be accompanied by a statement from respondent indicating why he feels capable of returning to practice as a nurse, a report from respondent's drug program counselor, a report from a physician setting forth the results of an examination, and a letter from respondent's current employer. By letter dated January 13, 1987, respondent petitioned for reinstatement, and included with his petition the required supporting documents.

The Board and respondent thereafter entered into a Stipulation by which the board agreed to issue, and respondent agreed to accept, a limited license imposing certain terms and conditions. Based upon respondent's application, the Stipulation, and other documents of record herein, the Board of Nursing orders as follows:

NOW, THEREFORE, IT IS ORDERED that Jack Robert Herkowski, R.N., be and hereby is, granted a limited license to practice as a professional nurse in Wisconsin imposing the following terms and conditions:

1. The term of the limited license shall be for three months. Respondent may apply for consecutive three-month renewals of his limited license, which shall be granted upon respondent's acceptable demonstration of compliance with the conditions and limitations set forth herein.
2. Upon successful compliance with the terms and conditions set forth herein for a period of two years, commencing March 1, 1986, the board shall grant a petition by respondent for full licensure.
3. Respondent shall for the term of the limited license participate in the DePaul Rehabilitation Hospital's Impaired Professional Program, and shall as well participate in one-on-one weekly therapy with a therapist satisfactory to the board. Respondent shall be responsible for submission to the board on a quarterly basis of written reports prepared by his treating therapist outlining respondent's progress in treatment and confirming his continuing ability to safely practice as a registered nurse.
4. Respondent shall not consume any unprescribed controlled substances and shall abstain from any and all personal use of alcohol.

5. Respondent shall participate in a program of random and witnessed monitoring of his blood or urine for the presence of controlled substances and alcohol. Monitoring shall take place on a weekly basis. To be an acceptable program, the monitoring facility must agree to file an immediate report with the Board of Nursing in the event that respondent fails to appear upon request, the monitoring screen proves positive, or the respondent refuses to provide a specimen. In the event of a positive screen, the monitoring facility must agree to retain the specimen for provision to the board.

6. Applicant shall be responsible for submission to the board of quarterly written reports setting forth applicant's status in the monitoring program.

7. Applicant shall not be employed in a position where he is granted access to controlled substances.

8. Applicant shall be responsible for submission to the board of quarterly written reports from his current employer setting forth applicant's activities and performance in his employment.

9. Applicant shall attend A.A. meetings a minimum of once each week.

10. Upon request of the board, applicant shall provide current releases to any affected treatment facilities and personnel complying with state and federal laws, authorizing release of all his medical and treatment records to the Board of Nursing. Copies of said releases shall be filed simultaneously with the board.

11. Violation of any of the terms or limitations may result in summary suspension of applicant's limited license and/or the imposition of further discipline as the board may deem appropriate.

Dated at Madison, Wisconsin, this 18<sup>th</sup> day of Feb., 1987.

STATE OF WISCONSIN  
BOARD OF NURSING

By Luzanne Schuler  
120

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120-985

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
JACK ROBERT HERKOWSKI, R.N.	:	
RESPONDENT.	:	

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On July 19, 1985, the Board of Nursing issued its Final Decision and Order in the above-captioned matter suspending for an indefinite period of not less than one year the license of Jack Robert Herkowski (respondent) to practice as a professional nurse in the State of Wisconsin. By the terms of the Board's Order, respondent was permitted to petition for reinstatement of his license after one year. Any such petition was to be accompanied by a statement from respondent indicating why he feels capable of returning to practice as a nurse, a report from respondent's drug program counselor, a report from a physician setting forth the results of an examination, and a letter from respondent's current employer. By letter dated January 13, 1987, respondent petitioned for reinstatement, and included with his petition the required supporting documents.

Based upon the petition and other documents of record herein, the Board of Nursing agrees to issue, and respondent agrees to accept, a limited license to practice as a nurse in the State of Wisconsin incorporating the following terms and conditions.

1. The term of the limited license shall be for three months. Respondent may apply for consecutive three-month renewals of his limited license, which shall be granted upon respondent's acceptable demonstration of compliance with the conditions and limitations set forth herein.
2. Upon successful compliance with the terms and conditions set forth herein for a period of two years, commencing March 1, 1986, the board shall grant a petition by respondent for full licensure.
3. Respondent shall for the term of the limited license participate in the DePaul Rehabilitation Hospital's Impaired Professional Program, and shall as well participate in one-on-one weekly therapy with a therapist satisfactory to the board. Respondent shall be responsible for submission to the board on a quarterly basis of written reports prepared by his treating therapist outlining respondent's progress in treatment and confirming his continuing ability to safely practice as a registered nurse.
4. Respondent shall not consume any unprescribed controlled substances and shall abstain from any and all personal use of alcohol.
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11. Violation of any of the terms or limitations may result in summary suspension of applicant's limited license and/or the imposition of further discipline as the board may deem appropriate.

Dated at Madison, Wisconsin, this 18<sup>th</sup> day of Feb., 1987.

STATE OF WISCONSIN  
BOARD OF NURSING

By Suzanne Schuler  
R.N.

Dated at Milwaukee, Wisconsin, this 22 day of February, 1987.

By Jack Robert Herkowski  
Jack Robert Herkowski, R.N.

WRA:ma  
266-760

