

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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# FILE COPY

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MARY C. WINN, R.N.,  
RESPONDENT.

:  
:  
:  
:  
:  
FINAL DECISION  
AND ORDER

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ORDER 00001792  
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The parties to this action for the purposes of Wis. Stats. sec. 227.53  
are:

Mary C. Winn  
5739 North Witte Lane  
Glendale, WI 53209

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

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 Mary C. Winn, hereinafter called the Respondent, held a  
license as a registered nurse at all times relevant to this complaint.
2. That the Respondent's registered nurse license is #75851, issued  
on April 11, 1980.
3. That the Respondent's address is 5737 North Witte Lane, Glendale,  
Wisconsin 53209.
4. That the Respondent has not practiced as a registered nurse since  
1982 due to a mental health condition.
5. That the Respondent is unable to safely practice as a registered  
nurse due to her mental health condition.

. 6. That the Respondent hopes to return to the practice of nursing at such time as she feels able to do so in a safe and competent manner.

#### CONCLUSIONS OF LAW

1. That the Board of Nursing has jurisdiction in this matter pursuant to Chapter 441, Stats.

Therefore, it is hereby ORDERED:

1. That the registered nurse license of Mary C. Winn, is hereby suspended for an indefinite period of time, of not less than one year from the date of this order, to be reinstated upon evidence satisfactory to the board that she is physically and psychologically capable of safely practicing as a registered nurse. Such evidence shall at a minimum consist of the following:

- a. A petition from the Respondent stating why she is seeking the reinstatement of her license and why she feels capable of returning to practice as a nurse.
- b. A report from the Respondent's primary counselor indicating the Respondent's compliance with and progress in a program of rehabilitation and indicating that the respondent has made significant progress since the date of this order. The report must also address whether continued counseling or therapy is recommended.
- c. A report from a physician who has examined the Respondent at a time proximate to the date of the petition for reinstatement, indicating the Respondent has no health problems, including drug or alcohol dependency or any mental or emotional disorders which would prevent her from safely and competently practicing as a registered nurse. In addition, the report must identify whether any continued counseling or therapy is recommended and the effect of any prescribed drugs on the respondent's behavior.
- d. A letter from the Respondent's current employer, if the Respondent is employed in any capacity, evaluating the Respondent's work performance.

2. That if the Respondent is reinstated, she shall be issued a limited license for a period as deemed necessary by the Board and under terms and conditions as deemed appropriate by the Board. Such terms and condition may include successful completion of a refresher course.

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information."

BOARD OF NURSING

By: Mary Ann Clark CW  
A Member of the Board

9-18-87  
Date

## NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,  
the times allowed for each and the identification  
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

### 1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Board of Nursing.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

### 2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Board of Nursing

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Board of Nursing.

The date of mailing of this decision is September 22, 1987.

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 :  
 : STIPULATION  
MARY C. WINN, R.N., :  
RESPONDENT. :  
-----

It is hereby stipulated between Mary C. Winn, RN, personally on her own behalf and Michael J. Berndt, 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 Winn's licensure by the Division of Enforcement (82 NURSE 22). Winn consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Winn 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 her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Winn 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 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.

6. Attached to this Stipulation is the current licensure card of Winn.

7. The Division of Enforcement joins Winn in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

•.8. The attorney for the complainant may make a statement to the Board in support of this Stipulation and answer any questions the Board may have concerning this Stipulation.

Mary C. Winn  
Mary C. Winn, RN

August 28, 1982  
Date

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

8/27/82  
Date

SMG:cld  
016-262



# State of Wisconsin

DEPARTMENT OF REGULATION AND LICENSING  
BOARD OF NURSING

COMMITTED TO EQUAL OPPORTUNITY IN EMPLOYMENT AND LICENSING

## REGISTERED NURSE

NO.

75851

EXPIRES:

JAN 31, 1988

M CAMILLE WINN

5739 N WITTE LN.

GLENDAL

WI 53209

The named person has complied with Wisconsin Statutes  
and is authorized to engage in the practice indicated.

Signature of Licensee:

NO. TO BE REPRODUCED