

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

SHARON EVELYN DUERSCHMIDT, L.P.N.,
RESPONDENT.

FINAL DECISION
AND ORDER

ORDER 0001887

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

Sharon Evelyn Duerschmidt, L.P.N.
7102 County Highway O
Two Rivers, WI 54241

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. Sharon Evelyn Duerschmidt, L.P.N., (D.O.B. March 8, 1942) is and
was at all times relevant to this action duly licensed in the State of
Wisconsin as a practical nurse (license #20692). This license was issued
on November 28, 1978.

2. Ms. Duerschmidt's last address on file with the Board of Nursing
is: 7102 County Highway O, Two Rivers, Wisconsin 54241.

3. At all times relevant to this action, Ms. Duerschmidt was working
as a practical nurse at Hamilton Memorial Home, a nursing home located at
1 Hamilton Drive, Two Rivers, Wisconsin.

4. On or about February 20, 1986, Ms. Duerschmidt failed to administer
the following medications to patients assigned to her care: two (2) packages
of Tylenol gr. 10, two (2) packages of Haldol 0.5 mg., one (1) tablet
ascorbic acid, one (1) tablet Motrin, and one (1) Procardia capsule.

5. Ms. Duerschmidt charted the medications referred to in paragraph 4 above as administered, but instead disposed of them in the trash.

CONCLUSIONS OF LAW

By the conduct described above, Ms. Duerschmidt is subject to disciplinary action against her license pursuant to Wis. Stats. sec. 441.07(1)(b), (c) and (d) and Wis. Adm. Code secs. N7.03(1)(b) and (d) and 7.04(6) and (15).

Therefore, it is hereby ORDERED:

The license of Sharon Evelyn Duerschmidt to practice as a practical nurse in the State of Wisconsin is SUSPENDED for a period of THIRTY DAYS.

This Suspension shall commence on a date ten (10) days following the date of this order.

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 RN
A Member of the Board

9/18/87
Date

SG:rb
3645

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

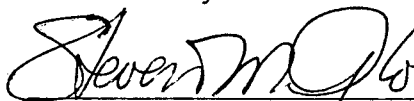
IN THE MATTER OF THE LICENSE OF :
 :
SHARON EVELYN DUERSCHMIDT, L.P.N., : STIPULATION
RESPONDENT. :

It is hereby stipulated between Sharon Evelyn Duerschmidt, L.P.N., personally on her 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 in resolution of the above-captioned proceedings and shall be presented to the Board together with the attached Final Decision and Order.
2. Ms. Duerschmidt 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. Ms. Duerschmidt 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. The Division of Enforcement joins Ms. Duerschmidt in recommending the Board of Nursing adopt this Stipulation and issue the attached Final Decision and Order.


Sharon Evelyn Duerschmidt

7/14/87
Date


Steven M. Gloe, Attorney
Division of Enforcement

7.17.87
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.

WLD:dms
886-490