

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 THE DISCIPLINARY
PROCEEDINGS AGAINST

LINDA L. NEEFE, LPN,
RESPONDENT.

:
:
:
:
:
:

FINAL DECISION AND ORDER
92 NUR 121

ORDER 0001610

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

Linda L. Neefe
139 Gould Street
Beaver Dam, WI 53916

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

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the
attached Stipulation as the final decision 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. Linda L. Neefe (D.O.B. 5/12/49) is duly licensed in the state of
Wisconsin as a licensed practical nurse (license #10095). This license was
first granted on May 22, 1970.
2. Respondent's latest address on file with the Department of
Regulation and Licensing is 1004 2nd Avenue N #A-9, Onalaska, WI 54650.
3. While on duty as a licensed practical nurse at the Beaver Dam Care
Center on July 19, 1992, Respondent diverted Tylenol 3 and Xanax from her
place of employment for her personal use.

4. Respondent completed an evaluation for chemical dependence on October 20, 1992. The evaluation does not indicate that Respondent is chemically dependent, but that she is in need of stress management assistance.

CONCLUSIONS OF LAW

By the conduct described above, Respondent is subject to disciplinary action against her license to practice as a licensed practical nurse in the state of Wisconsin, pursuant to Wis. Stats. sec. 441.07(1)(d), and Wis. Adm. Code sec. N 7.04(2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that :

1. Linda L. Neefe is REPRIMANDED for her unprofessional conduct in this matter.

2. Respondent shall within six months from the date of this Order successfully complete a Board approved course in stress management.

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".

This Order shall become effective upon the date of its signing.

BOARD OF NURSING

By: Jacqueline Johnson RN MS 1/8/93
a member of the Board Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
LINDA L. NEEFE, LPN,	:	92 NUR 121
RESPONDENT	:	

It is hereby stipulated between Linda L. Neefe, personally on her own behalf and James W. Harris, 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 Respondent's licensure by the Division of Enforcement. Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Respondent 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 a preponderance of the 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. Respondent is aware of her right to seek legal representation and has been provided the opportunity to seek legal advice prior to signing this stipulation.

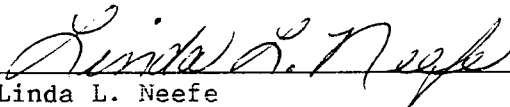
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. 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. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

. Also attached to this Stipulation are copies of Respondent's health care records for review by the Board in conjunction with their consideration of the attached Final Decision and Order.

. The parties to this stipulation agree that the attorney for the Division of Enforcement may appear before the Board of Nursing for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

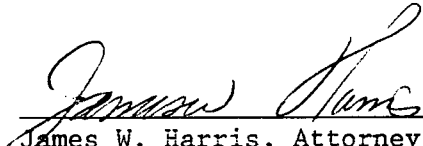
. The Division of Enforcement joins Respondent in recommending the Board of Nursing adopt this Stipulation and issue the attached Final Decision and Order.



Linda L. Neefe

11/18/92

Date



James W. Harris, Attorney
Division of Enforcement

11/23/92

Date

jh

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 January 11, 1993.



PDF: DE00000001280-19930108

Order Dates:

JAN 08, 1993

Respondent Names:

NEEFE, LINDA L., LPN

Complaint IDs:

92NUR121

Profession:

LICENSED PRACTICAL NURSE

Boards:

NUR

Short Description:

REPRIMANDED. COMPLETE BOARD APPROVED COURSE IN STRESS MANAGEMENT
BY 7/8/93.

Case Summary:

DIVERTED TYLENOL 3 AND XANAX FROM PLACE OF EMPLOYMENT FOR
PERSONAL USE.

