

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

BARBARA K. DAWSON, RN,
RESPONDENT

FINAL DECISION AND ORDER
94 NUR 002

ORDER 0001705

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

Barbara K. Dawson, RN
2331 South 72nd Street
West Allis, WI 53219

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. Barbara K. Dawson, RN (D.O.B. 02/28/39) is duly licensed as a registered nurse in the state of Wisconsin (license #37158). This license was first granted on November 18, 1960.
2. Ms. Dawson's most recent address on file with the Wisconsin Board of Nursing is 2331 South 72nd Street, West Allis, WI 53219.
3. On March 1, 1992, Ms. Dawson's Wisconsin nursing registration expired, and Ms. Dawson did not renew her registration until November 14, 1993. During that period of time, Ms. Dawson continued her work as a nurse with Falk Corporation, Milwaukee, Wisconsin.
4. In resolution of this matter, Ms. Dawson consents to entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct described above, Barbara K. Dawson is subject to disciplinary action against her license to practice as a registered nurse in the state of Wisconsin, pursuant to Wis. Stats. §§441.06 (3) and (4) and 441.07(1); and Wis. Adm. Code §N7.04(15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Barbara K. Dawson, RN is REPRIMANDED.

IT IS FURTHER ORDERED that:

1) Within thirty (30) days from the date of this Order, Ms. Dawson shall submit documentation to the Board certifying that she has notified the following of her work as a nurse without current registration:

a. all employers where Ms. Dawson worked as a nurse between March 1, 1992 and November 14, 1993;

b. all private insurance carriers who provided coverage and paid for nursing services performed by Ms. Dawson during the time period between March 1, 1992 and November 14, 1993; and

c. E.D.S. Federal, 6406 Bridge Road, Madison WI 53784 [If Medicare/Medicaid provided coverage and paid for nursing services performed by Ms. Dawson during the time period between March 1, 1992 and November 14, 1993.]

2) Within ninety (90) days from the date of this Order, Ms. Dawson shall submit proof of presentation of a nursing staff inservice acceptable to the Board on the subject of the importance of maintaining current licensure, and the potential consequences of practice without current licensure registration.

3) Within thirty (30) days from the date of this Order, Ms. Dawson shall pay costs of this proceeding in the amount of one hundred and seventy-five (\$175.00) dollars. Payment shall be made via check or money order payable to the Wisconsin Department of Regulation and Licensing.

4. A copy of Ms. Dawson's written explanation for the lapse in her licensure shall be attached to this document as Exhibit A and made a part of this record.

Department monitor

The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all documentation, reports and payments. The Department Monitor may be reached as follows:

Department Monitor
Department of Regulation Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935
FAX (608) 266-2264
TEL. (608) 267-7139

BOARD OF NURSING

By:

Pamela A. McFarland
A Member of the Board

Date

11/3/95

September 22, 1995

Steven M. Gloe, Attorney
Division of Enforcement
1400 E. Washington Avenue
P.O. Box 8935-8935
Madison, WI 53708

Dear Mr. Gloe:

The following information will explain the occurrence of my lapse in my nursing licensure.

My nursing career consists of fourteen years of employment with the V.N.A. of Milwaukee as a Public Health Nurse, and twenty-two years of employment with the Falk Corporation as an Occupational Health Nurse.

On 10-15-87, extenuating circumstances forced me and my young child to leave our home on 2331 S. 72nd St., West Allis, WI. We relocated temporarily at 6606 W. Clarke St., Wauwatosa, WI. The billing for my nursing license was subsequently forwarded to that address. When we moved back to 72nd St., I neglected to report my change of address and, therefore, I stopped receiving notices of renewal. This first came to my attention around 11-12-93, when my co-worker and I were discussing nursing licenses. I suddenly realized that I hadn't received a billing notice for some time. When I got home that day, I located my nursing card and read, expired, March, 1992. I immediately called the State Department of Nursing and explained what happened and asked what I needed to do. The next day I told my supervisor, Willaim Smith in the personnel department. He advised me to continue working in the clinic but to refrain from giving any tetanus immunizations until my license was re-instated. I received my license within three days as soon as my check cleared.

In May of 1994, I received, signed, and returned a stipulation sent from the Department of Enforcement. When I telephoned the attorney, He told me not to send any money but wait until further notice.

Now, almost two years since the time I notified the State regarding my lapse in licensure, I received another stipulation with similar information. I am rather disturbed about this, but am agreeing to all the terms of the stipulation.

There were no insurance companies or agencies that needed to be notified about my lapse in licensure. My employer was notified immediately when I realized my error. This action was not willful or deliberate, but careless in nature; I accept full responsibility.

Enclosed is my check for \$175.00; my presentation will be forthcoming.

Sincerely,

Barbara Dawson, RN
Barbara Dawson, RN

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
BARBARA K. DAWSON, RN,	:	94 NUR 002
RESPONDENT	:	

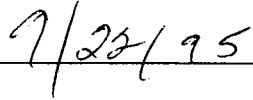
It is hereby stipulated between Barbara K. Dawson, personally on her own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

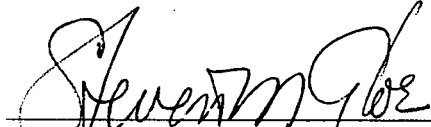
1. This Stipulation is entered into as a result of a pending investigation of Ms. Dawson's licensure by the Division of Enforcement. Ms. Dawson consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Ms. Dawson understands that by the signing 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 her; 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. Dawson 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. Ms. Dawson 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.
6. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Board of Nursing assigned as an advisor in this investigation may appear before the Board for the purposes of speaking in support of this agreement and answering questions

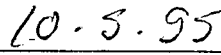
that the members of the Board may have in connection with their deliberations on the stipulation.

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


Barbara K. Dawson, RN


Date


Steven M. Gloe, Attorney
Division of Enforcement


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.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN BOARD OF NURSING

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

November 8, 1995

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)



PDF: DE00000001809-19951103

Order Dates:
NOV 03, 1995

Respondent Names:
DAWSON, BARBARA K., RN

Complaint IDs:
94NUR002

Profession:
REGISTERED NURSE

Boards:
NUR

Short Description:
REPRIMANDED. SUBMIT DOCUMENTATION. COSTS.

Case Summary:
ON 3/1/92 NURSING REGISTRATION EXPIRED. DID NOT RENEW UNTIL
11/14/93. DURING THAT PERIOD OF TIME CONTINUED TO WORK AS A
NURSE.

