

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

FILE COPY

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

SHIRLEY W. ZAREMBA, RN, :
RESPONDENT. :

FINAL DECISION AND ORDER
95 NUR 106

ORDER 0001702

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

Shirley W. Zaremba
Route 1, Box 257
Wild Rose, WI 54984

Wisconsin 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. Shirley W. Zaremba (D.O.B. 8/30/35) is duly licensed in the state of Wisconsin as a registered nurse (license # 35264). This license was first granted on May 7, 1959.
2. Respondent's latest address on file with the Department of Regulation and Licensing is Route 1, Box 257, Wild Rose, WI 54984.
3. Respondent has suffered from depression since at least 1986, and has sought treatment for her condition at various times. Respondent has received prescription orders for Trazadone and Xanax.

4. On May 23, 1995, Respondent diverted 12 Xanax tablets from her employer, Wisconsin Veteran's Home at King, Wisconsin, for her own use.

5. On May 30, 1995, Respondent resumed treatment with the Mental Health Clinic of Central Wisconsin for depression. There has been no finding by health professionals of chemical dependence.

6. Respondent's current health care professional is Dr. Kenneth Erdmann, M.D., Oshkosh, Wisconsin.

CONCLUSIONS OF LAW

By the conduct described above, Shirley W. Zaremba is subject to disciplinary action against her license to practice as a registered nurse in the state of Wisconsin, pursuant to Wis. Stats. sec. 441.07(1)(c) and (d), and Wis. Adm. Code sec. N 7.03(3) and N 7.04(2).

NOW, THEREFORE, IT IS HEREBY ORDERED as a reasonable accommodation to the condition of Respondent that :

1. Shirley W. Zaremba is REPRIMANDED.

2. The license of Respondent to practice as a registered nurse in the state of Wisconsin is LIMITED for a period of not less than two (2) years in that:

a. Respondent shall within ten days of the date of this Order enroll in and continue successful participation in a treatment program for her condition. The program shall include and Respondent shall participate in individual and/or group therapy sessions upon a schedule as recommended by her therapist, but not less than two times per month.

b. Respondent shall provide and keep on file with her health care providers current releases which comply with state and federal law authorizing release of all medical, treatment and employment records to the Board of Nursing or its designee. Copies of the releases shall be filed with the Department Monitor.

c. Respondent shall arrange for quarterly reports to the Board of Nursing from her therapist, reporting her progress in therapy, and from her employer, reporting her work performance. Reports shall be submitted as directed to the Department Monitor, Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, WI 53708-8935.

d. Respondent shall furnish a copy of this Order to all present employers immediately upon issuance, and to any prospective employer when Respondent applies for employment.

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
SHIRLEY W. ZAREMBA, RN,	:	95 NUR 106
RESPONDENT	:	

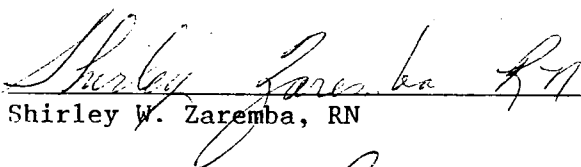
It is hereby stipulated between Shirley W. Zaremba, personally on her own behalf and James W. Harris, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

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.

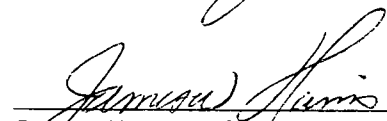
6. Also attached to this Stipulation are copies of Respondent's health care records for review by the Board in conjunction with their consideration of the attached Final Decision and Order.

7. 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.

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


Shirley W. Zaremba, RN

3/14/96
Date


James W. Harris, Attorney
Division of Enforcement

April 26, 1996
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.

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:

May 6, 1996

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: DE00000002066-19960503

Order Dates:

MAY 03, 1996

Respondent Names:

ZAREMBA, SHIRLEY W., RN

Complaint IDs:

95NUR106

Profession:

REGISTERED NURSE

Boards:

NUR

Short Description:

REPRIMANDED. LIMITED FOR TWO YEARS.

Case Summary:

SUFFERED FROM DEPRESSION SINCE 1986, HAS SOUGHT TREATMENT. RECEIVED PRESCRIPTIONS FOR TRAZADONE AND XANAX. DIVERTED XANAX FROM HER EMPLOYER FOR HER OWN USE. HAS RESUMED TREATMENT FOR DEPRESSION. HAS BEEN NO FINDING OF CHEMICAL DEPENDENCE.

