

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

LAURALEE L. THEAMA, LPN, :
RESPONDENT :

FINAL DECISION AND ORDER
96 NUR 037

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

Lauralee L. Theama, LPN
PO Box 52
Delafield, WI 53018

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. Lauralee L. Theama, LPN (D.O.B. 09/08/55) is duly licensed as a practical nurse in the state of Wisconsin (license #16111). This license was first granted on May 25, 1975.

2. Ms. Theama's most recent address on file with the Wisconsin Board of Nursing is PO Box 52, Delafield, WI 53018.

3. On May 1, 1995, Ms. Theama's Wisconsin nursing registration expired, and Ms. Theama did not renew her registration until March 11, 1996. During that period of time, Ms. Theama continued to work as a nurse for Linden Grove Health Care Center. in Waukesha, Wisconsin.

4. On or about February 28, 1996, Ms. Theama attended a job interview at Waukesha Memorial Hospital and presented an altered licensure card as evidence of current licensure. Ms. Theama altered her license by changing the expiration date from 1995 to 1997.

4. In resolution of this matter, Ms. Theama consents to entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct described above, Lauralee L. Theama is subject to disciplinary action against her license to practice as a practical nurse in the state of Wisconsin, pursuant to secs. 441.10(3)(c) and 441.07(1), Wis. Stats. and Wis. Adm. Code §N7.04(13) and (15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the license of Lauralee L. Theama, LPN is LIMITED as follows:

SCOPE OF PRACTICE: LIMITATIONS AND CONDITIONS

1. Until such time as otherwise ordered by the Board, Ms. Theama shall arrange for quarterly reports to the Board or its designee from her nursing employer(s) evaluating her work performance.
2. During the time that this Order remains in effect, Ms. Theama shall provide all current and prospective nursing employers with a copy of this Final Decision and Order. At any time following completion of one year of work as a nurse monitored under the terms of this Order, Respondent may petition the Board to revise or eliminate the requirement for submission of work reports. The Board, in its discretion, may require a personal appearance by Ms. Theama to answer questions in conjunction with her petition. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. §§227.01(3) and 227.42.
3. 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 reports and petitions. 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

IT IS FURTHER ORDERED that within ninety (90) days from the date of this Order, Ms. Theama shall pay partial costs of this proceeding in the amount of two hundred (\$200.00) dollars. Payment shall be made via check or money order payable to the Wisconsin Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708.

BOARD OF NURSING

By: Wendy D. Buevich, R.N.
A Member of the Board

20th March 1997

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST :	:	STIPULATION
LAURALEE L. THEAMA, LPN,	:	96 NUR 037
RESPONDENT	:	

It is hereby stipulated between Lauralee L. Theama, 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 in resolution of the above-captioned disciplinary proceedings. This stipulation shall be presented directly to the Board of Nursing for adoption in resolution of this matter.
2. Ms. Theama 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. Theama 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. Theama 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. Theama in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

Lauralee L. Theama LPN
Lauralee L. Theama, LPN

2-11-97
Date

Steven M. Gloe
Steven M. Gloe, Attorney
Division of Enforcement

2-17-97
Date

Department of Regulation & Licensing

State of Wisconsin

P O. Box 8935, Madison, WI 53708-8935

(608)

TTY# (608) 267-2416, hearing or speech
TRS# 1-800-947-3529, impaired only

GUIDELINES FOR PAYMENT OF COSTS AND/OR FORFEITURES

On March 20, 1997, the Board of Nursing
took disciplinary action against your license. Part of the discipline was an assessment of costs and/or a
forfeiture.

The amount of the costs assessed is: \$200.00 Case #: LS9701131NUR

The amount of the forfeiture is: _____ Case # _____

Please submit a check or a money order in the amount of \$ 200.00

The costs and/or forfeitures are due: June 18, 1997

NAME: Lauralee L. Theama, L.P.N. LICENSE NUMBER: 16111

STREET ADDRESS: P.O. Box 52

CITY: Delafield STATE: WI ZIP CODE: 53018

Check whether the payment is for costs or for a forfeiture or both:

COSTS FORFEITURE

Check whether the payment is for an individual license or an establishment license:

INDIVIDUAL ESTABLISHMENT

If a payment plan has been established, the amount due monthly is:

For Receiving Use Only

Make checks payable to:

**DEPARTMENT OF REGULATION AND LICENSING
1400 E. WASHINGTON AVE., ROOM 141
P.O. BOX 8935
MADISON, WI 53708-8935**

#2145 (Rev. 9/96)

Ch. 440.22, Stats.

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Committed to Equal Opportunity in Employment and Licensing+

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE BOARD OF NURSING

In the Matter of the Disciplinary Proceedings Against

Lauralee L. Theama, LPN,

AFFIDAVIT OF MAILING

Respondent.

STATE OF WISCONSIN)
)
COUNTY OF DANE)

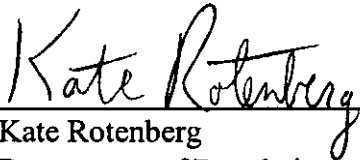
I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.

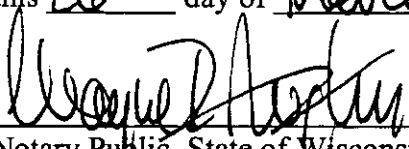
2. On March 26, 1997, I served the Final Decision and Order dated March 20, 1997, and Guidelines for Payment of Costs and/or Forfeitures, LS9701131NUR, upon the Respondent Lauralee L. Theama, LPN by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 201 374 119.

3. The address used for mailing the Decision is the address that appears in the records of the Department as the Respondent's last-known address and is:

Lauralee L. Theama, LPN
P.O. Box 52
Delafield WI 53018



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me
this 26th day of March, 1997.


Notary Public, State of Wisconsin
My commission is permanent

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:

March 26, 1997

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.)