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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST
MARY E. TRAHAN, R.N.,

Respondent

ORDER DENYING STAY

On November 29, 1997, the Board of Nursing issued its Final Decision and Order in the above-captioned matter. By the terms of the board's order, respondent's license was suspended for an indefinite period. The Order provided that respondent could petition the board for a stay of the suspension upon providing the board with an evaluation by a licensed physician attesting to respondent's current ability to safely practice professional nursing.

By letter dated December 9, 1997, respondent petitioned for a stay of the suspension of her license. Included with her petition were letters from Greg Gaffke, Ms. Trahan's therapist at United Behavioral health, Wauwatosa; Jane Casseus, Ms. Trahan's therapist at Southeastern Wisconsin medical & Social Services, Wauwatosa; and Kumari Chintamaneni, M.D, Ms. Trahan's physician. Each of them recommended that the suspension of Ms. Trahan's license be stayed. The board considered the petition at its meeting of January 30, 1998. The board granted the petition by its Order dated February 10, 1998.

By letter dated June 29, 1998, Alicia Noonan, Trahan's therapist, requested that the board substitute breathalyzer screens for urine screens, or at least intersperse breathalyzer screens with urine screens. The stated basis for the request was to ease the financial burden on Ms. Trahan. The board considered the request at its meeting of July 9, 1998, and denied the request by its order dated July 18, 1998.

On January 29, 1999, the board considered Ms. Trahan's request for a further three month stay of the suspension of her license, and her further request that the requirements for urine screens and therapy be terminated. The board considered the request on that date and reduced the number of required urine screens and therapy sessions to two per month.

On March 5, 1999, the board considered ms. Trahan's request for a further stay of the suspension of her license. The board also considered evidence that Ms. Trahan had relapsed on alcohol on February 22, 1999. The board therefore denied the request for a stay by its Order dated March 8, 1999.

By letter dated May 26, 1999, Ms. Trahan appealed the board's previous denial of the stay based upon her progress in counseling. In terms of her compliance with required urine screens, Ms. Trahan states "I am continuing counseling, but I have no insurance or extra money for the urine screens. I am already \$1300.00 in fees I can't pay, but will make arrangements to comply with the board." Based upon all information of record herein, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that Ms. Trahan's request for a stay of the suspension of her license is denied. Ms. Trahan may reapply for a stay only at such time as she is able to demonstrate three months of continuous abstinence, as demonstrated by compliance with the requirement for two urine screens per month.

DISCUSSION

The board is encouraged by the report submitted by Ms. Trahan's therapist, and sympathizes with Ms. Trahan's difficulty in affording the required urine screens. The board must insist, however, that Ms. Trahan demonstrate at least three months of compliance with all the requirements set forth in the board's November 29, 1997, Order, as modified by its Order dated March 7, 1999, before granting any petition for a further stay.

Dated this 23rd day of July, 1999.

STATE OF WISCONSIN
BOARD OF NURSING

by_____

Timothy D. Burns, CRNA
Chairman