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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST
ELIZABETH A. VANDERHYDEN, R.N.,

Respondent

ORDER DENYING PETITION

On September 12, 1996, 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 to practice as a registered nurse in Wisconsin was suspended for an indefinite period. The Order provided that respondent could petition for a three month stay of the suspension after three months, with further provision for successive three-month stays of the suspension conditioned upon compliance with certain conditions and limitations on the license. Among these were that respondent participate in a recognized program for the treatment of chemical dependency, that she participate in psychotherapy a minimum of four times each month, and that she participate in a program of random, witnessed screening of her blood or urine for alcohol and controlled substances a minimum of four times each month..

By letter received on September 26, 1997, respondent petitioned for a stay of the suspension of her license, and requested as well that the number of required therapy sessions and urine screens each be reduced from four per month to two per month. The board considered the matter at its meeting of November 14, 1997, and granted the request by its Order dated November 29, 1997.

On July 9, 1998, the board considered Ms. VanderHyden's request for a further stay of the suspension of her license, and for a further reduction in the number of required therapy sessions and urine screens. The board also considered the Therapy Report form submitted by Ms. VanderHyden's therapist, which included information indicating that Ms. VanderHyden submitted to only one urine screen in March, and had completed no urine screens in May or June. Moreover, the report indicates that Ms. VanderHyden was given 24 hours to respond to a request for a urine drop. The board's Order permits only five hours. Based upon that evidence, the board denied the stay by its Order dated July 18, 1998.

At its meeting of November 6, 1998, the board considered Ms. VanderHyden's petition that the stay of suspension be reinstated, and considered as well as evidence that the evidence of noncompliance considered by the board in July, 1998, was in error. The board reinstated the stay by its Order dated November 18, 1998.

On January 29, 1999, the board considered Ms. VanderHyden's request for a further stay of the suspension of her license, and her further request for a reduction in the number of required therapy sessions. Ms. VanderHyden cites in her letter the cost of therapy, and the fact that she has been unable to find employment as a nurse. The board denied the request by its Order dated February 7, 1999.

On July 9, 1999, the board considered Ms. VanderHyden's request that the number of required urine screens and therapy sessions each be reduced to one per month. The board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that respondent's petition for a further stay of the suspension of her license is granted.

IT IS FURTHER ORDERED that respondent's request for a reduction in the number of required therapy sessions and urine screens is denied.

DISCUSSION

The board's Final Decision and Order in this matter provides that the board may require that Ms. VanderHyden complete at least six months of nursing employment under the terms and conditions of the limited license prior to terminating those conditions. The board does not consider it appropriate to consider any further reduction in either the number of therapy sessions or urine screens until Ms. VanderHyden has become employed as a nurse. After having been so employed for a period of six months without incident, the board will consider Ms. VanderHyden's request for a termination of all of the limitations on her license

Dated this 22nd day of July, 1999.

STATE OF WISCONSIN
BOARD OF NURSING

by _____

Timothy D. Burns, CRNA
Chairman