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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 MODIFYING LIMITED LICENSE

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.

Based upon respondent's requests, and upon all other information of record herein, 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 is denied.

IT IS FURTHER ORDERED that the practice restriction set forth at paragraph 28 of the board's Final Decision and order dated September 26, 1996, by which respondent is required to refrain from access to or administration of controlled substances in her work setting, is lifted, and respondent may therefore have access to and may administer controlled substances in her work setting.

DISCUSSION

In light of the recent violation by Ms. VanderHyden of the terms and conditions on her license, the board considers it premature to decrease the number of required therapy sessions. In order to assist her in finding employment as a nurse, however, the board deems it appropriate to release Ms. VanderHyden from the requirement that she refrain from access to controlled substances in her employment setting.

Dated this 7th day of February, 1999.

STATE OF WISCONSIN

BOARD OF NURSING

by Timothy D. Burns, CRNA

Chairman