

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST:

MARY ALBERTZ, RN/LPN

ORDER GRANTING STAY

RESPONDENT

A Final Decision and Order was entered in the above-captioned matter on November 3, 1995. By the terms of the board's order, Ms. Albertz' license was suspended for an indefinite period, and Ms. Albertz was permitted to petition for a stay of the suspension of her license upon submission of a satisfactory evaluation certifying that Ms. Albertz is fit to safely and competently return to the practice of nursing.

By letter dated February 23, 1996, Ms. Albertz submitted her petition to the board for a stay of the suspension of her license. The petition was accompanied by an evaluation performed by Clyde R. Olson, M.D., which fulfilled the requirements of the board's November 3, 1995, order. In her letter, Ms. Albertz asked that her current participation in the BSN at U.W. Eau Claire be substituted for the continuing education program set forth at paragraph (3)(e) of the board's order, and that she not be required to provide a copy of the board's order to current and prospective nursing employers or to arrange for work reports to be provided by such employers. The board considered the matter at its meeting of March 8, 1996, and filed its order granting the petition to substitute the BSN program for the requirement that she complete a continuing education program on March 15, 1996.

Because the board's November 3, 1995, Final Decision and Order assessed the costs of the disciplinary proceeding against Ms. Albertz, the stay of the suspension was never actuated. Subsequently, Ms. Albertz contacted Michelle Neverman, the board liaison and requested a stay of the suspension. The board considered the request at its meeting of September 11, 1997, and ordered that the suspension of the license of Mary Albertz be stayed for a period of three months, effective on the date upon which she paid to the department of Regulation and Licensing the assessed costs of the disciplinary proceeding conducted in this matter, and conditioned upon her compliance with the terms of the November 3, 1996 Order, as amended.

On May 8, 1998, the board considered Ms. Albertz' request that upon receiving her BSN degree, she be returned to full licensure, based upon her having then demonstrated her stable recovery. The board denied the petition, but ordered that upon her graduation from the BSN program, the board would further consider Ms. Albertz' further petition for a full, unlimited license.

On May 14, 1999, the board again considered Ms. Albertz' request that she be granted an unlimited license upon her graduation from the RN program on May 22, 1999. The board denied the petition by its Order dated May 26, 1999.

On January 6, 2000, the board considered evidence that Ms. Albertz had violated the terms of her limited license by failing to notify her employer of the limitations on her license, and by showing her employer a copy of her license which did not carry the notation that it is limited. Such action is in violation of the board's Final decision and Order in this matter, and the stay was denied by the board's Order dated January 18, 2000.

On July 7, 2000, Ms. Albertz appeared before the board in support of her request that the stay of suspension of her license be reinstated. The board and Ms. Albertz thereafter entered into a Stipulation, by which the board agreed to issue, and Ms. Albertz agreed to accept, a three month stay of the suspension of her license, with provision for additional three month stays conditioned upon full compliance with the limitations set forth below. Based upon that Stipulation, and other information of record herein, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that Ms. Albertz' request for a further three month stay of the suspension of her license is hereby granted. Ms. Albertz may petition for additional three month stays of the suspension, which shall be granted conditioned upon Ms. Albertz' compliance with the following terms and conditions during the preceding three month period.

1. Respondent shall provide all current and prospective nursing employers with a copy of the board's November 3, 1995 Final Decision and Order and any subsequent stay Orders; and shall arrange for submission of quarterly reports to the Board of Nursing from her nursing employer(s) reporting the terms and conditions of her employment and evaluating her work performance, and shall report to the Board any change in her employment status within five (5) days of such change
2. Respondent shall participate in psychological therapy sessions with a therapist satisfactory to the board. Attendance shall be on a schedule established by respondent's therapist, but shall be scheduled not less than once per month. Respondent shall be responsible for submission of quarterly therapy reports prepared by her therapist setting forth her progress in therapy.

Dated this 6th day of September, 2000.

STATE OF WISCONSIN
BOARD OF NURSING

Ann Brewer, RN

Chair