

# 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 E. TRAHAN, R.N.,   ORDER GRANTING STAY  
Respondent

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." The board denied the stay by its Order dated July 23, 2000.

On September 1, 2000, the board again considered Ms. Trahan's request that the suspension of her license be stayed. The board granted the stay by its Order dated September 8, 2000.

On January 5, 2001, the board considered Ms. Trahan's request for a further three month stay of the suspension of her license, and her further request to eliminate the requirement for urine screens and therapy. The board granted the stay but denied the request for modification of the terms and conditions on her license by Order dated January 12, 2001.

On April 6, 2001, the board considered Ms. Trahan's request for a further three month stay of the suspension of her license. She also again requested to eliminate the requirement for urine screens and therapy.

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 granted. Ms. Trahan may apply for further stays, which shall be granted upon satisfactory demonstration of having fully complied with the board's November 29, 1997, Order during the preceding three months.

IT IS FURTHER ORDERED that Ms. Trahan's request for termination of the requirements for urine screens and therapy is hereby denied.

DISCUSSION

In its January Order responding to Ms. Trahan's identical request for elimination of the requirements for therapy and urine screens, the board stated: "The suspension of Ms. Trahan's license has been stayed for a period of only four months after a lengthy period of active suspension for failure to comply with the terms of the board's Order. It is therefore far too soon to drop the two principal rehabilitative requirements of her limited license." That reasoning is no less valid now than it was three months ago.

Dated this 12<sup>th</sup> day of April, 2001.

STATE OF WISCONSIN  
BOARD OF NURSING

Ann Brewer, RN

Chair