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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

THOMAS MICHAEL SCHMIDT II, RN,
Respondent

ORDER GRANTING STAY

On May 19, 2000, the Board of Nursing issued its Final Decision and Order in the above-captioned matter, by which respondent's license to practice as a registered nurse in Wisconsin was suspended for an indefinite period. Under the terms of the Order, Mr. Schmidt was permitted to apply for a stay of the suspension, with 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 he participate in psychotherapy a minimum of four times each month, and that he participate in program of random witnessed monitoring for controlled substances and alcohol in his blood or urine on a frequency of not less than once per week.

On July 7, 2000, and December 27, 2000, the board granted Mr. Schmidt's requests for further three month stays of the suspension of his license.

On April 6, 2001, the board granted Mr. Schmidt's request for a further three month stay, and his further request that the number of required therapy sessions be reduced.

On July 9, 2001, the board considered Mr. Schmidt's request for a further three month stay of the suspension of his license. The board also considered evidence that a number of the urine sample provided by him appeared to be diluted, and that a number of the substances to have been included in the screening panel were not. Accordingly, the board granted a 60 day stay in order to review the matter further.

On September 6, 2001, the board considered evidence that Mr. Schmidt had relapsed to the use of alcohol. The board suspended the license by its Order dated September 14, 2001.

On November 1, 2001, Mr. Schmidt appeared before the board in support of his request that the stay of suspension be reinstated. The board granted the stay by its Order dated November 8, 2001.

On February 1, 2002, the board granted Mr. Schmidt's request for a further three month stay of the suspension.

On May 2, 2002, the board considered Mr. Schmidt's request for a further three month stay. The board also considered evidence that Mr. Schmidt was not in compliance with the board's Order by his failure to submit to the minimum number of urine screens and the minimum number of therapy sessions. The board therefore denied

the stay.

On June 6, 2002, Mr. Schmidt appeared before the board to explain the reasons for his previous non-compliance, and to request that the stay of suspension be reinstated. The board granted the stay.

On September 5, 2002, the board considered Mr. Schmidt's request for a further three month stay of the suspension. Mr. Schmidt's therapist also recommended a reduction in the number of therapy sessions, but Mr. Schmidt did not request such a change. Accordingly, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that the request for a further stay is granted and the suspension of the license of Thomas M. Schmidt II, R.N., is hereby stayed for a period of three months.

Dated this 11th day of September, 2002.

STATE OF WISCONSIN

BOARD OF NURSING

Linda M. Sanner, R.N.,

Chair