

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF  
  
DISCIPLINARY PROCEEDINGS AGAINST

KARI JO KITTELL, RN,

Respondent

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CORRECTED ORDER GRANTING STAY

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On July 21, 1999, 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 a period of not less than two years, 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 she participate in psychotherapy a minimum of once per month, and that she participate in a program of random witnessed monitoring for controlled substances and alcohol in her blood or urine on a frequency of not less than twice per month.

By letter dated October 27, 1999, respondent requested that the stay of the suspension of her license be renewed for a period of three months. The board considered that request on January 6, 2000. The board also considered information that Ms. Kittell had submitted to only two urine screens between the date of the board's Order and November 23, 1999. The board therefore denied the stay by its Order dated January 18, 2000.

On May 19, 2000, the board considered Ms. Kittell's request that the stay of the suspension of her license be reinstated. The board denied the request by its Order dated June 6, 2000.

On September 1, 2000, the board considered Ms. Kittell's further request for a stay of the suspension of her license, and granted the request by its Order dated September 8, 2000.

By letter dated February 19, 2001, Ms. Kittell requested a further three month stay. The board considered the request on April 6, 2001, and considered as well the recommendation by Ms. Kittell's therapist that she not have access to controlled substances at her place of employment. The board granted the stay, and ordered that Ms. Kittell refrain from access to or administration of controlled substances in her employment, pursuant to paragraph 26 of the board's Final decision and Order.

On July 9, 2001, the board granted Ms. Kittell's request for a further three month stay of the suspension.

On October 4, 2001, the board considered Ms. Kittell's request for a further three month stay of the suspension,

and her therapist's recommendation that the number of urine screens and therapy sessions each be reduced to two per month. Based upon that request and those recommendations, the board granted the stay and reduced the number of required urine screens and therapy sessions.

On January 3, 2002, the board considered Ms. Kittell's request for an unlimited license. The board denied full licensure, but granted a three month stay.

On April 4, 2002, the board considered Ms. Kittell's request for a further three month stay of the suspension, and her further request that the number of required urine screens again be reduced. Based upon the board's conclusion that two screens per month is the minimum reasonable number in this case, the board granted the stay but denied the request for a reduction in the number of urine screens.

On July 11, the board granted Ms. Kittell's request for a further three month stay of the suspension of her license.

On October 4, 2002, the board considered Ms. Kittell's petition for termination of all limitations on her license. In the alternative, Ms. Kittell requested a stay of the suspension, and that she be granted access to controlled substances in her employment setting. The board notes that Ms. Kittell's therapist did not recommend that she be granted a full license. Ms. Kittell may renew her petition at such time as her therapist concurs. Based upon the foregoing, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that Ms. Kittell is granted a three month stay of the suspension of her license.

IT IS FURTHER ORDERED that the limitation on Ms. Kittell's license requiring that she abstain from access to or administration of controlled substances in her work setting is terminated and Ms. Kittell may have such access.

DISCUSSION

The original Order issued following the board's October 4, 2002, meeting granted the three month stay, but failed to address the request that Ms. Kittell be granted access to controlled substances in her work setting. The board in fact granted that request, and this Order therefore corrects and replaces the previous Order.

Dated this 6<sup>th</sup> day of November, 2002.

STATE OF WISCONSIN

BOARD OF NURSING

Linda M. Sanner, RN

Chair