

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
ROCHELLE D. WELLNER, L.P.N., : LS0302073NUR
RESPONDENT. :

02 NUR 172

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Rochelle D. Wellner
E13709 Cty Road DL
Merrimac, WI 53561

Wisconsin Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Rochelle D. Wellner (D.O.B. 01/17/58) is duly licensed in the state of Wisconsin as a licensed practical nurse (license # 31124). This license was first granted on November 22, 1991

2. Respondent's latest address on file with the Department of Regulation and Licensing is E 13709 County Road DL, Merrimac, WI 53561.

3. From November 3, 2000, to November 1, 2002, Respondent was the subject of a monitoring order issued in case 00 NUR 186 which among other things required quarterly work reports from Respondent's nursing employer.

4. On June 6, 2002, Respondent's ability to safely practice as a nurse at the Central Wisconsin Center was questioned by her employer due to her speech, gait and agitation. Respondent was not allowed to work her shift. Respondent was absent from work on the next day and cancelled an overtime work opportunity for the weekend. Respondent filed a work excuse from Urgent Care noting stress headache and stress-related nausea and diarrhea. Respondent has admitted that she suffered from stress fatigue, had experienced a domestic disturbance on the morning of June 6th, and had consumed an alcoholic beverage several hours before reporting for work. Following an investigation the employer gave Respondent a verbal warning and Respondent participated in EAP counseling. No further action has been taken by the employer. The Board of Nursing considered the incident during its monitoring review on July 11, 2002.

5. An AODA evaluation of Respondent conducted on October 14, 2002, by Sauk County DHS, resulted in the following finding: "No recommendation is being made for substance abuse treatment. It would seem that the episodic abuse of alcohol is very minimal, and for the most part, in the past."

6. On November 1, 2002, Respondent's nursing license was restored to an unlimited status.

CONCLUSIONS OF LAW

By the conduct described in paragraph 4, above, Rochelle D. Wellner is subject to disciplinary action against her license to practice as a licensed practical nurse in the state of Wisconsin, pursuant to Wis. Stats. sec. 441.07(1)(b) and (c) and Wis. Adm. Code sec. N 7.03(2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that :

1. Rochelle D. Wellner is REPRIMANDED.

2. Respondent shall pay to the Department of Regulation and Licensing COSTS in the sum of \$ 200 within 30 days of the date of this Order.

3. The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

4. This Order shall become effective upon the date of its signing.

By: Linda Sanner

A Member of the Board

2-7-03

Date