

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
GREGORY A. BURMEISTER, RN,	:	LS0303072NUR
RESPONDENT	:	

Division of Enforcement Case No. 01 NUR 278

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Gregory A. Burmeister
S69W17548 Redman Drive
Muskego WI 53150

Board of Nursing
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation, 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. Gregory A. Burmeister (DOB 01/19/1949) is duly licensed as a registered nurse in the state of Wisconsin (license #90973). This license was first granted on 08/31/1985.
2. Respondent’s most recent address on file with the Wisconsin Board of Nursing is S69W17548 Redman

3. At all times relevant to this action, Respondent was working as a registered nurse at Milwaukee County Mental Health Division, 9455 Watertown Plank Road, Milwaukee, Wisconsin.

4. On or about November 6, 2001, Respondent grabbed the restraint belt of HH, a psychotic patient in four-point ambulatory restraints. HH fell to the ground. Respondent yelled at HH and then dragged HH by the leather straps connecting HH's ankle cuffs out of the room and into an adjoining room.

5. Since this incident, Respondent on his own obtained counseling on stress management.

6. For the purpose of resolution of this matter, Respondent consents to issuance of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter, pursuant to sec. 441.07, Stats.

2. The Wisconsin Board of Nursing is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Stats.

3. By the conduct described above, Gregory A. Burmeister is subject to disciplinary action against his Wisconsin nursing license, pursuant to sec. 441.07(1), Wis. Stats., and Wis. Admin. Code § N7.04.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Gregory A. Burmeister RN (license #90973) is REPRIMANDED.

IT IS FURTHER ORDERED that the Wisconsin nursing license of Gregory A. Burmeister (license #90973) is LIMITED as follows:

Required reporting

1. For a period of at least one [1] year from the date of this Order, Respondent shall arrange for quarterly reports from his nursing employer(s) reporting the terms and conditions of his employment and evaluating his work performance. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing Division of Enforcement.

2. Respondent shall notify the Department Monitor of any change of employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.

Department Monitor

3. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including coordinating submission of reports and petitions. The Department Monitor may be reached as follows:

Department Monitor c/o Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

TEL (608) 267-3817

FAX (608) 266-2264

Agency Caregiver Finding

4. If Respondent fails to fully and completely comply with all terms and conditions set forth above or if the Department receives a subsequent credible allegation against Respondent of abuse, neglect or misappropriation, the Department Monitor shall without further notice or hearing notify the Wisconsin Department of Health and Family Services that the findings set forth in this Order shall thereafter constitute an agency finding of neglect for the purposes of secs. 48.685 and 50.065, Wis. Stats. Respondent shall then REFRAIN from any nursing employment in any facility licensed by the Wisconsin Department of Health and Family Services until such time as Respondent successfully completes a rehabilitation review administered by DHFS.

Petition for Termination of restrictions

5. Upon completion of: one [1] year of complete, successful and continuous compliance with the terms of this Order that includes one [1] year of nursing employment under the terms of this Order; Respondent may petition the Board to revise or eliminate any of the above conditions. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. §§227.01(3) and 227.42.

SUMMARY SUSPENSION

6. Violation of any of the terms of this Order may in addition be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license pursuant to the procedures set forth in Wis. Admin. Code RL Ch. 6. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

Effective date of Order

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

BOARD OF NURSING

By: Linda Sanner

3-7-03

On behalf of the Board

Date