

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	LS0311072NUR
RENEE H. TENGLER, R.N.,	:	
RESPONDENT.	:	

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FINAL DECISION AND ORDER

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The parties to this action for the purposes of § 227.53, Stats., are:

Renee H. Tengler, R.N.

**12650 Old Hwy W**  
**Presque Isle, WI 54557**

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 of Nursing. The Board has reviewed this Stipulation and considers it acceptable.

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

1. Renee H. Tengler, R.N., Respondent, date of birth May 18, 1959, is licensed by the Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 104060, which was first granted March 16, 1990.

2. Respondent's last address reported to the Department of Regulation and Licensing is 12650 Old Hwy W, Presque Isle, WI 54557.

### COUNT I

3. Respondent was employed by PRN Health Services, Inc., a temporary employment agency located in Appleton Wisconsin. From March 9 through March 13, 2001, Respondent worked as an agency nurse at the Marshfield Nursing and Rehabilitation Center (Center), in Marshfield, Wisconsin.

4. The last shift Respondent worked at the Center ended at 7 a.m. on March 13, 2001. At the conclusion of the shift, Respondent gave a rambling, confused and disjointed report to the nurse reporting for the next shift. At that time, other personnel observed Respondent to have constricted pupils and to be "acting weird."

5. As a result of Respondent's appearance and reports that she had been rummaging through the medication room during the night, the Director of Nursing performed an investigation at the time of shift change and among other things:

Found that 10 tubexes of morphine were missing, which had been in a sealed box.

Determined that no morphine had been given to any resident.

Found empty morphine tubexes in the Center's trash receptacles, which were later determined to have Respondent's fingerprints on them.

Decided to have a drug test done of Respondent, but Respondent abruptly left the Center without informing anyone.

6. That based on the events set out above, on September 11, 2001, Respondent was charged in Wood County Wisconsin Circuit Court case number 01CF000309 with violating § 961.41(3g)(a)1., Stats. (Possession of a Controlled Substance).

7. On December 4, 2002, Respondent entered into a plea agreement by which the charges were decreased and she pled no contest and was then found guilty and convicted of three counts of violating § 943.20(1)(a), Stats. (Theft-Movable Property <=\$1000), a Class A misdemeanor.

8. § 943.20(1)(a), Stats., is a law substantially related to the practice of professional nursing.

9. Sentence was withheld and Respondent was placed on probation for two years. Conditions of probation included:

Jail time: 3 days, with Huber privileges, each count concurrent.

Costs & Restitution: \$96.30 in restitution; \$150.00 mandatory victim/witness surcharge; \$65.00 court and other costs.

AODA Evaluation and Comply.

Prohibitions: Do not handle prescription medication without another medical professional present.

## COUNT II

10. On March 12, 2003, the Division of Enforcement (DOE) sent Respondent a letter with enclosed Consent for Release of Information Forms to complete and return so that DOE could obtain Respondent's treatment records.

11. Respondent returned the letter to DOE, with the following written in the margins:

a. "From accidents: I have a frontal lobe neuron malfunction. Lights on but no ones home."

b. "I am applying for SSD: I am paranoid and I have PTSD AND AM CRAZY from 2 near fatal auto accidents Sept 7 2002 and Jan 30, 2003 I don't drive I don't work."

c. "Why are you threatening me?"

12. Respondent desires to surrender her license as a registered nurse.

## **CONCLUSIONS OF LAW**

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

2. The Wisconsin Board of Nursing has authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.

3. Respondent, by having violated a law substantially related to the practice of professional nursing, has committed misconduct and unprofessional conduct, as defined by Wis. Admin. Code § N 7.04(1) and is subject to discipline pursuant to § 441.07(1)(d), Stats. [COUNT I]

4. Respondent's conduct reflects that she has an impaired ability to safely and reliably perform nursing duties and is therefore unfit and incompetent by reason of mental incompetency, as defined by Wis. Adm. Code N 7.03(3) and is subject to discipline pursuant to § 441.07(1)(c), Stats.

## **ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that Renee H. Tengler's SURRENDER of her license as a registered nurse in the state of Wisconsin is hereby ACCEPTED, effective immediately.

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."

Dated at Madison, Wisconsin this 5th day of December, 2003.

Linda M. Sanner, R.N.

**Chairperson**

**Board of Nursing**