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1. Colette Beth Trotta (D.O.B. 10/12/1955) is duly licensed as a registered nurse in the state of Wisconsin (license #136257). This license was first granted on 08/24/2000. In conjunction with her application for licensure as a registered nurse, Respondent presented with a recent conviction history for issuance of worthless checks and provided assurances to the Board that she had learned from her conviction.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 137 South Curtis Street, Lake Geneva, Wisconsin, 53147.
3. At all times relevant to this action, Respondent was working as a licensed registered nurse at Ridgewood Care Center, 5455 Durand Avenue, Racine, WI 53406 [hereinafter, "the facility"].
4. On exact dates unknown, on several occasions prior to October 2, 2001, Respondent solicited loans from subordinate employees. Respondent was disciplined for this behavior by her employer and ordered to "not approach any other staff members, residents or families of residents with requests for money." The loan involved in this action was for twenty dollars (\$20.00), which Respondent had repaid.
5. On exact dates unknown, but beginning in 2001 and continuing up to approximately May 7, 2002, Respondent borrowed and repaid various sums of money from JS, a resident of the facility. On May 7, 2002, the outstanding balance owed JS by Respondent was five hundred forty-five dollars (\$545.00).
6. JS was a 58 year old male with physical and mental disorders. JS had a photographic memory for facts and figures, and was sufficiently independent to meet with friends outside of the facility.

7. At all times relevant to this action, JS was adjudged incompetent to handle his own financial affairs. JS received an allowance from his guardian to allow JS to purchase discretionary food and personal items. JS in addition received discretionary income from his sister.
8. Respondent did not inform JS's guardian or sister regarding the loans she received, nor did she provide either JS, his guardian, or his sister with a written record of the loan transactions.
9. On an exact date unknown, but between approximately April 15 and May 7, 2002. Respondent borrowed approximately two hundred ten dollars [\$210.00] from MA, the wife of a resident of the facility. Respondent requested money at MA's home as well as at the facility.
10. Respondent has repaid JS the \$545.00 that she owed him. Respondent further contends that she has made full repayment to MA. MA, however, contends that full repayment has not been made.
11. For the purposes of resolution of this matter only, Respondent consents to the issuance of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct described above, Respondent is subject to the imposition of discipline against her license pursuant to 441.07(1), Wis. Stats. and Wis. Adm. Code sec. N 7.04. Furthermore, the Findings of Fact set forth in above constitute an agency finding within the meaning of secs. 48.685 and 50.065, Stats.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that

The license of Colette Beth Trotta to practice as a registered nurse in the state of Wisconsin (license #136257) is LIMITED as follows:

Assessment and treatment

1. Within two [2] months from the effective date of this Order, Respondent shall submit a report from a current independent mental health evaluation of Respondent performed by a health care provider acceptable to the Board.
 - a. Respondent shall obtain Board approval of the assessor(s) prior to the assessment being performed.
 - b. The assessor(s) shall submit a written report of his or her findings directly to the Board, including: a diagnosis of Respondent's condition (if any); recommendations for treatment; an evaluation of Respondent's level of cooperation in the assessment process; her ability to safely and reliably practice as a nurse; any work restriction recommendations; and Respondent's prognosis. The assessments shall reflect that the assessor has received and reviewed copies of this order and Division investigative materials regarding

Respondent's behavior. To be considered current, the assessments shall be conducted within not more than thirty (30) days from the date of the petition.

c. The Board may in its discretion require a personal appearance by Respondent in conjunction with its consideration of the report submitted under this paragraph.

2. If the assessment referred to in ¶ 1 above reveals a need for treatment,

a. Respondent shall initiate and maintain successful participation in all components of treatment as recommended by the assessment. Treatment shall be provided by a mental health practitioner acceptable to the Board. Respondent must attend therapy on a schedule as recommended by her mental health practitioner; The Board, however, reserves the right to set a minimum schedule of treatment of at least one (1) therapy session per month.

b. Respondent shall provide and keep on file with all applicable treatment providers and facilities current releases which comply with state and federal laws authorizing release of all of Respondent's medical and treatment records and reports. In addition, these releases shall (if applicable) permit her treating physicians and therapists to disclose and discuss the progress of her treatment and rehabilitation with the Board of Nursing or any member thereof, or with any employee of the Department of Regulation and Licensing acting under the authority of the Board of Nursing. Copies of these releases shall be filed simultaneously with the Department Monitor.

Practice restrictions

3. Within two [2] months from the effective date of this Order, Respondent shall successfully complete a rehabilitation review administered by the Wisconsin Department of Health and Family Services. IF RESPONDENT FAILS TO SUCCESSFULLY COMPLETE THE REHABILITATION REVIEW, she shall REFRAIN from employment in any Wisconsin DHFS-licensed facility until further order of the Department of Health and Family Services.

4. Until otherwise ordered by the Board

a. Respondent shall practice only in settings where she works under supervision by another nurse or other licensed health care professional; and

b. Respondent shall refrain from nursing employment as visiting nurse or other home care practitioner.

5. Respondent shall comply with any additional work restrictions recommended by Respondent's assessment [ref. ¶1] or treatment provider [ref. ¶2].

Continuing education

6. Within three [3] months from the date of this order, Respondent shall submit acceptable documentation of successful completion of the University of Wisconsin School of Nursing continuing education program entitled "Legal Issues for Nurses in Today's Health Care Environment", or of completion of other training pre-approved by the Board in the area of legal responsibilities of nursing. Acceptable documentation of completion of continuing education shall include: certification from the sponsoring organization, a statement signed by Respondent verifying completion of course requirements, and proof of successful completion of a post-test acceptable to the Board and/or submission of other documentation of course content comprehension acceptable to the Board. The Board will consider for approval courses taken in anticipation of this Order.

7. Within three [3] months from the date of this order, Respondent shall submit acceptable documentation of successful completion of at least six [6] additional hours of continuing education or of other training pre-approved by the Board in the area of budgeting and management of personal finances. Acceptable documentation of completion of continuing education shall include: certification from the sponsoring organization as well as a statement signed by Respondent verifying her attendance at the course and completion of course requirements.

Costs

8. Respondent shall be responsible for all expenses incurred by her in complying with the terms of this Order.

Required reporting

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

10. Respondent shall notify the Department Monitor of any change of nursing 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

11. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving reports and coordinating all requests for approval of education or other petitions. The Department Monitor may be reached as follows:

Department Monitor
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935
FAX (608) 266-2264
TEL. (608) 267-3817

Termination of restrictions

12. 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

13. Violation of any of the other terms of this Order may 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

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

BOARD OF NURSING

By: Linda Sanner

11-7-03

On behalf of the Board

Date