

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**
 :
JANE F. SAGGAU, R.N., : LS0404224NUR
RESPONDENT. :

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

Jane F. Saggau RN
121 Colonial Dr. #119
Horicon, WI 53032

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. Jane F. Saggau (dob: 8/17/51) is and was at all times relevant to the facts set forth herein a professional nurse licensed in the State of Wisconsin pursuant to license #11259. This license was first granted 9/11/92.

2. On and before 1/13/03, and while employed as a professional nurse at the Samaritan Health Center of West Bend, WI, respondent diverted the controlled substances Vicodin®, Ativan®, and Tylenol #3® from patient PRN stock for her personal use. No patient suffered physical harm from her diversion.

3. Respondent was subsequently charged and convicted of misdemeanor obtaining a controlled substance by fraud in the Circuit Court for Washington County on 7/9/03. She was sentenced to six months in the county jail with work release privileges, which sentence was stayed and respondent placed on probation for two years. Conditions of probation include that she participate in any treatment program required by her probation agent and pay \$70 in costs.

4. Respondent is a chronic pain patient and has struggled with opioid and alcohol abuse and dependence for some years; she has periodically sought assistance for her substance abuse, including multiple residential detox in the summer and fall of 2001, specifically for oxycodone abuse. Following a 2003 evaluation at Genesis Behavioral Services, respondent was diagnosed with opioid dependence, sedative/hypnotic dependence, and alcohol dependence (in sustained remission). Respondent has participated in treatment for her condition at Genesis.

CONCLUSIONS OF LAW

A. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to §441.07(1)(b)(c) and(d) Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.

B. The conduct described in paragraphs 2 through 4, above, violated § N 7.03(2) and N 7.04(1), (2) and (15) Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED that effective on the date of this Order, the SURRENDER of the license of Jane F. Saggau, RN, to practice as a professional nurse in the state of Wisconsin is ACCEPTED. Respondent shall not practice nursing in Wisconsin, including under the provisions of the Nurse Licensure Compact, without being licensed in Wisconsin or without obtaining the express permission of the Board.

IT IS FURTHER ORDERED: that respondent shall pay partial costs of \$800, within 6 months of this Order.

WISCONSIN BOARD OF NURSING

By: Jacqueline Johnsrud
Board Chair

4-22-04
Date