

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : LS0407292NUR  
DEBORAH L. DEGLOW, L.P.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:

Deborah L. Deglow, L.P.N.  
1007 E. 2<sup>nd</sup> Street  
Neillsville, WI 54456

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:

FINDINGS OF FACT

1. Deborah L. Deglow, L.P.N., Respondent, date of birth May 7, 1963, is licensed by the Wisconsin Board of Nursing as a licensed practical nurse in the state of Wisconsin pursuant to license number 29614, which was first granted December 2, 1988.

2. Respondent's last address reported to the Department of Regulation and Licensing is 1007 E. 2<sup>nd</sup> Street, Neillsville, WI 54456.

3. In approximately 1997, Respondent was involved in a moped accident and suffered severe facial lacerations. Respondent sustained a chronic nerve injury and was diagnosed with chronic pain syndrome and neuropathic pain. Subsequent treatment included a combination of opiates and other pain medications. During the events set out below, Respondent's license was active, but she was not practicing as a nurse. Respondent has not practiced as a nurse since before the vehicular accident.

4. During the course of treatment, Respondent's opioid tolerance increased and she began using up to 300 tablets a week of 8 mg Dilaudid, a brand of hydromorphone HCl, a narcotic analgesic and a Schedule II controlled substance.

5. In April 2001, Respondent was referred to Dr. Bowe, an addictionologist at Cadott Medical Center in Cadott, Wisconsin, due to her high physical dependence on Dilaudid. Dr. Bowe began to slowly reduce Respondent's Dilaudid dosage

6. During this period, Dr. Bowe prescribed weekly doses of Dilaudid to Respondent, but Respondent consumed the Dilaudid more frequently than prescribed. In order to obtain additional Dilaudid, Respondent forged prescriptions to obtain

additional and unauthorized Dilaudid. Forgeries were presented and filled on many dates, including: January 15, 17, 25 and 28, 2002.

7. Near the end of January 2002, in Chippewa Falls, Wisconsin, Respondent attempted to fill a prescription she had forged. The prescription was for 220 8 mg tablets of Dilaudid. The pharmacist notified the U. S. Drug Enforcement Administration and Dr. Bowe was advised of the forged prescription.

8. Possession of a schedule II controlled substance without the valid order of a practitioner is prohibited by § 961.41(3g)(am), Stats., which is a law substantially related to practice under Respondent's license.

9. On February 1, 2002, Respondent was admitted to the St. Joseph's Hospital/L.E. Phillips Libertas Center in Chippewa Falls, Wisconsin for detox and treatment for opioid withdrawal. Respondent was discharged on February 13, 2002. After that date, Respondent was continued on Methadone for her pain.

10. Respondent has not worked as a licensed practical nurse for the past 11 years and does not intend to practice nursing in the near future.

### CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter pursuant to § 441.07, Stats., and authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.

2. 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.

3. Respondent, by engaging in the conduct set out above, has obtained drugs other than in the course of legitimate practice and as otherwise prohibited by law and has committed misconduct and unprofessional conduct as defined by Wis. Adm. Code § N 7.04(2) and is subject discipline pursuant to § 441.07(1)(d), Stats.

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The license of Deborah L. Deglow, L.P.N., as a licensed practical nurse in the state of Wisconsin is hereby SUSPENDED for an INDEFINITE period, effective immediately.

2. Respondent may petition the Board for the termination of the suspension, under the following terms and conditions:

a. Respondent shall, at Respondent's own expense, have undergone an alcohol and other drug abuse assessment by a mental health care provider (Assessor), who must have been approved by the Board, with an opportunity for the Division of Enforcement to make its recommendation prior to the evaluation being performed.

b. Respondent must provide proof sufficient to the Board that the Assessor believes that Respondent does not suffer from a condition which prevents her from practicing with reasonable skill and safety of patients and public.

c. If the Board determines to end the suspension, Respondent's license shall be limited in a manner to address any concerns the Board has as a result of the conduct set out in the findings of fact and to address any recommendations resulting from the assessment.

3. Respondent shall, within 90 days of the date of this Order, pay the costs of this proceeding in the amount of

\$450.00 to the Department of Regulation and Licensing, pursuant to § 440.22(2), Stats.

4. Requests, notices and payment shall be mailed, faxed or delivered to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax: (608) 266-2264  
Telephone: (608) 267-3817

5. If Respondent believes that the Board's refusal to end the suspension is inappropriate or that any limitation imposed or maintained by the Board under paragraph 2c. is inappropriate, Respondent may seek a class 1 hearing pursuant to sec. 227.01(3)(a), Stats., in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious. The suspension or limitations on Respondent's license shall remain in effect until there is a final decision in Respondent's favor on the issue.

6. Violation of any term or condition of this Order, or of any limitation imposed under paragraph 2c. above, may constitute grounds for revocation of Respondent's license as a licensed practical nurse in Wisconsin. Should the Board determine that there is probable cause to believe that Respondent has violated the terms of this Order, or any limitation imposed under paragraph 2c. above, the Board may order that Respondent's license be summarily suspended pending investigation of and hearing on the alleged violation.

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

Dated at Madison, Wisconsin this 29<sup>th</sup> day of July, 2004.

Jacqueline A. Johnsrud, R.N.  
Chairperson  
Board of Nursing