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STATE OF WISCONSIN BEFORE THE BOARD OF NURSING

BEFORE THE BOARD OF INCROSING

IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST

FINAL DECISION AND ORDER

KATHLEEN R. WALL, R.N., RESPONDENT. LS0501032NUR

02 NUR 94

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

Kathleen R. Wall 1505 18th Ave. #2 Menominee, MI 49858

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

PROCEDURAL HISTORY

A formal Complaint and Answer have been filed in this matter. 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. Kathleen Rae Wall (dob: 6/7/54) is and was at all times relevant to the facts set forth herein a registered nurse licensed in the State of Wisconsin pursuant to license #74736. This license was first granted 9/1/79.
- 2. On 3/12/02, and while off duty during a period of employment as a contract nurse at St. Joseph's Hospital, Marshfield, Wisconsin, respondent overdosed on a Schedule III butalbital-aspirin-caffeine product (which was prescribed to her for pain) at a time when she was scheduled to report for duty. On 3/13/02, police observed her to be apparently affected by the use of a medication, and detained her at a hospital for evaluation, where she was ultimately diagnosed with salicylate overdose with associated mood alteration.
- 3. Respondent was also detained for evaluation in Michigan on 12/9/99, at which time she was also found to have overdosed on the same prescription medication, with similar symptoms.
- 4. Since March, 2002, respondent has had no further difficulties with her medication and has been continuously engaged in nursing practice with no known difficulties.

CONCLUSIONS OF LAW

- A. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stats. § 441.07(1)(b)(c) and (d) and is authorized to enter into the attached Stipulation pursuant to Wis. Stats. § 227.44(5).
- B. The conduct described in paragraph 2, above, violated Wis. Adm. Code § N 7.03(2) and N 7.04(1), (2) and (15). 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 Kathleen R. Wall, RN, is REPRIMANDED for her unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that Respondent shall, for the rest of her nursing career, submit a sample of her hair, breath, blood, or urine, forthwith upon request of any investigator of the Department (who may act through a designee). This shall not be deemed a limitation on the license of Respondent.

IT IS FURTHER ORDERED, that Respondent shall abstain from all personal use of controlled substances as defined in Wis. Stats. § 161.01(4), except when necessitated by a legitimate medical condition and then only in the dosage amounts and frequencies authorized by the prescriber. This shall not be deemed a limitation on the license of Respondent.

IT IS FURTHER ORDERED, that violation of any of the 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. 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. In the event Respondent fails to timely submit any payment of the Costs as set forth below, the Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order

IT IS FURTHER ORDERED that respondent shall pay partial costs of investigating and prosecuting this matter, in the amount of \$1,750, before her license is next renewed.

Dated at Madison, Wisconsin this 8th day of December, 2005.

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