

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CHRISTINE WOLF, R.N.,	:	LS0504146NUR
RESPONDENT.	:	

[Division of Enforcement Case # 02 NUR 161]

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

Christine Wolf, R.N.
5949 N. 67th Street
Milwaukee, WI 53218

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Board of Nursing
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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. Christine Wolf, R.N., Respondent, date of birth September 29, 1946, is licensed by the Wisconsin Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 73494, which was first granted September 24, 1979.

2. Respondent's last address reported to the Department of Regulation and Licensing is 5949 N. 67th Street Milwaukee, WI 53218.

3. From October 1, 1992 until her resignation on August 16, 2002, Respondent was employed as a registered nurse by Horizon Home Care & Hospice, Inc., (Horizon) in Brown Deer, Wisconsin. Respondent provided in home private duty nursing to pediatric patients.

4. Over a two year period prior to her August 2002 resignation, Respondent exhibited inappropriate and unprofessional behavior in employment settings, both in the office and in the clients' homes and schools. Some of the behavior took place in the presence of her pediatric patients. Respondent was disciplined by Horizon for the behavior.

5. Respondent has not been employed as a registered nurse since December 2002.

6. The Division of Enforcement (Division) requested that Respondent have a psychological evaluation to determine the cause of Respondent's conduct and whether she was able to practice nursing. On January 28, March 10 and 17, April 23 and 28, and May 21, 2003, Respondent received treatment from and was evaluated by Dr. Paul Smerz, a psychologist who practices in Glendale, Wisconsin. The Division received Dr. Smerz's initial report on July 28, 2003 and another report on March 10, 2005. It is Dr. Smerz's opinion that Respondent "remains at risk to function as a nurse in many aspects of nursing."

CONCLUSIONS OF LAW

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

2. Respondent's conduct set out above is unprofessional conduct as defined by Wis. Adm. Code § N 7.04(intro) and subjects her to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The license of Christine Wolf, R.N., Respondent, to practice professional nursing in the State of Wisconsin hereby SUSPENDED for an indefinite period of time.

2. Respondent may petition the Board to have the suspension ended, as follows:

a. Respondent shall have, at Respondent's own expense, undergone a mental health assessment by an experienced mental health care practitioner.

i. The assessor must not have treated Respondent at any time and shall have been approved by the Board, with an opportunity for the Division to make its recommendation, prior to the evaluation being performed.

ii. The Division shall provide the assessor and Respondent with those portions of the investigative file which the Division believes may be of assistance in performing the assessment, including Respondent's treatment records or evaluations in the possession of the Division. Respondent may provide the assessor with any information Respondent believes will be of assistance in performing the assessment and shall immediately provide copies of that information to the Division.

iii. Respondent shall authorize the assessor to provide the Board, or its designee, and the Division with the assessment report and all materials used in performing the assessment and shall provide the Board, or its designee, and the Division with the opportunity to discuss the assessment and findings with the assessor.

iv. The assessor shall have provided an opinion to a reasonable degree of professional certainty that Respondent is able to practice with reasonable skill and safety of patients and public and does not suffer from any condition which prevents her from practicing in that manner.

b. If the assessor has rendered the opinion required by subparagraph a.iv., the Board shall end the suspension. The Board may limit Respondent's license in a manner to address any concerns the Board has as a result of the conduct set out in the findings of fact or the period of time Respondent has not practiced nursing and to address any recommendations resulting from the assessment, including, but not limited to:

i. Psychotherapy or other treatment, at Respondent's expense, by a practitioner approved by the Board, to address specific treatment goals, with periodic reports to the Board by the therapist.

ii. Additional professional education in any identified areas of deficiency.

iii. Restrictions on the nature of practice or practice setting or requirements for supervision of practice, by a professional approved by the Board, with periodic reports to the Board by the supervisor.

iv. Requiring Respondent to appear before the Board on an annual basis, if requested by the Board, to review the progress of any treatment and rehabilitation.

c. The suspension shall not end until Respondent has paid to the Department of Regulation and Licensing costs of this proceeding in the amount of \$1,250.00 pursuant to Wis. Stat. § 440.22(2).

3. If following the suspension, limitations are placed on Respondent's license, Respondent may petition the Board to modify or end the limitations.

4. 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 paragraphs 2b or 3 is inappropriate, Respondent may seek a class 1 hearing pursuant to Wis. Stat. § 227.01(3)(a) in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious or inconsistent with this Order. 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.

5. All requests, notifications 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

6. This Order is effective on the date of its signing.

Wisconsin Board of Nursing

By: Jacqueline Johnsrud
A Member of the Board

4-14-05
Date