

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
CLEO CAROL BONNELL, R.N.,	:	LS0603091NUR
RESPONDENT.	:	

Division of Enforcement Case # 04 NUR 292

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

Cleo Carol Bonnell, R.N.
638 Woodland Circle
Waupaca, WI 54981

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

Board of Nursing
Department of Regulation & 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 the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Cleo Carol Bonnell, R.N., (DOB 07/20/1942) is duly licensed as a registered nurse in the State of Wisconsin (license #30-42170). This license was first granted on April 30, 1964.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 638 Woodland Circle, Waupaca, Wisconsin.
3. In 1993, Respondent was disciplined by the Board of Nursing for slapping a patient.
4. At all times relevant to this complaint, Respondent worked at Taylor Park health care facility in Rhinelander, Wisconsin.
5. On or about September 20, 2004, Respondent told patient D.M. to “shut up.”

6. As a result of the September 20, 2004 outburst, an investigation was initiated and Respondent's coworkers were interviewed. Several coworkers reported having heard Respondent raising her voice or yelling at patients, swearing at patients or within the hearing of patients, and telling patients to shut up at various times.

7. At the request of the Division of Enforcement, Respondent underwent a mental health assessment on March 30, 2005. Her assessment indicated that she had significant anxiety and recommended counseling, focusing on stress and coping skills.

8. On January 10, 2006, Respondent's treater reported that she had complied with the recommended counseling and had gained the maximum benefit from counseling. It was stated that Respondent has put effort into understanding her behaviors when stressed, frustrated or angry, and she has learned how to take responsibility for her actions and how to practice anger management techniques.

CONCLUSIONS OF LAW

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

2. The conduct described in paragraphs 5-6 above constitutes a violation of Wisconsin Administrative Code § NR 7.04 and constitutes an agency finding pursuant to Wis. Stat. § 50.065, and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07.

ORDER

IT IS ORDERED :

1. The stipulation of the parties is approved.

2. The Board of Nursing accepts the surrender of the license of Cleo Carol Bonnell, R.N. (license # 30-42170), to practice as a nurse in the State of Wisconsin.

3. In the event that Ms. Bonnell re-applies for Wisconsin licensure as a nurse in the future, the Board may enter and deny such application without further notice or hearing.

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

Dated at Madison, Wisconsin this ____ day of _____, 2006.

Board of Nursing

By: _____

A Member of the Board

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
CLEO CAROL BONNELL, R.N.,	:	LS# _____
RESPONDENT.	:	

Division of Enforcement Case # 04 NUR 292

Cleo Carol Bonnell, R.N., personally on her own behalf, and Jeanette Lytle, attorney for the Department of Regulation and Licensing, Division of Enforcement, stipulate:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (case # 04 NUR 292). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Respondent understands that by signing this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Respondent has been provided an opportunity to obtain the advice of legal counsel prior to signing this stipulation.
4. Respondent agrees to voluntarily surrender her license to practice as a registered nurse in the State of Wisconsin. Respondent agrees that she will not reapply for Wisconsin licensure as a nurse at any time in the future. In the event that Respondent does in fact apply for Wisconsin licensure as a nurse, the Board may deny that application based upon this stipulation, without further notice or hearing, and Respondent hereby expressly waives all rights to a hearing on any such denial or limitation.
5. Respondent agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
6. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by consideration of this attempted resolution.
7. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Board of Nursing ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.
8. Respondent is informed that should the Board adopt this Stipulation, the Board's final decision and order is a

public record and will be published in accordance with standard Department procedure.

9. Respondent is further informed that should the Board adopt this Stipulation, the Board’s Final Decision and Order would constitute an agency finding within the meaning of Wis. Stats. §§ 48.685 and 50.065. Should Respondent wish to work in a Wisconsin DHFS-licensed facility, he will need to pass a Rehabilitation Review through DHFS prior to commencement of such employment.

10. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

_____ Cleo Carol Bonnell 638 Woodland Circle Waupaca, WI 54981	_____ Date
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_____ Jeanette Lytle, Attorney Division of Enforcement Wisconsin Department of Regulation and Licensing P.O. Box 8935 Madison, WI 53708-8935	_____ Date
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