

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## **Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions**

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### **Please read this agreement prior to viewing the Decision:**

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
PHYLLIS RUTH JOHNSON, R.N., : LS06091418NUR  
RESPONDENT. :

---

04 NUR 148

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

Phyllis Ruth Johnson, R.N.  
32372 Park Trail  
P.O. Box 186  
Center City, MN 55012

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 & 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. 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. Phyllis Ruth Johnson, R.N., was born on November 29, 1943, and is duly licensed as a registered nurse in the state of Wisconsin pursuant to license number 64391. This license was first granted on March 26, 1976.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is: 32372 Park Trail, P.O. Box 186, Center City, MN 55012.
3. At all times relevant to this action, Respondent was working as a professional nurse at St. Croix Valley Good Samaritan Center in St. Croix Falls, Wisconsin.
4. Respondent admits that there is sufficient evidence for the Board to find that on June 13, 2004, and while employed as a professional nurse at St. Croix Valley Good Samaritan Center, Respondent diverted the controlled substance Lorazepam from hospital stock or waste, for her own personal use.
5. On June 16, 2004, Respondent was admitted to St. Croix Regional Medical Center for a possible drug overdose. Respondent's husband accompanied Respondent to the hospital, and brought with him a bag containing all the drugs that Respondent was taking. This included the following controlled substances for which Respondent did not have prescriptions: three different dose strengths of amitriptyline, Roxicet, trazodone, Tylenol # 3, Vicodin, and lorazepam.
6. Respondent has not practiced nursing since June 13, 2004, has retired from the practice of nursing, and tenders the voluntary surrender of her license to practice as a nurse in the state of Wisconsin.

## **CONCLUSIONS OF LAW**

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter, pursuant to Wis. Stat. §441.7(b), (c), and (d) and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. §227.44(5).
2. The conduct described in paragraphs 4 and 5, above, constitutes a violation of Wisconsin Administrative Code § N 7.03(2) and N 7.04(1), (2), and (15).

## **ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The stipulation of the parties is accepted.
2. That the VOLUNTARY SURRENDER of the license and privilege of Phyllis Ruth Johnson, R.N., to practice as a professional nurse in the state of Wisconsin is ACCEPTED. Respondent shall not practice nursing in Wisconsin, including under the Nurse Licensure Compact, without a Wisconsin license.
3. In the event Respondent shall ever re-apply for a license to practice as a nurse in the state of Wisconsin, she shall, in addition to all other requirements for licensure, demonstrate to the satisfaction of the Board of Nursing that she does not have a chemical dependence, and that she can safely and reliably perform nursing functions.
4. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of FIVE HUNDRED FIFTY (\$550) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor  
Division of Enforcement

Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 267-3817  
Fax (608) 266-2264

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

Wisconsin Board of Nursing

By: Marilyn Kaufmann  
A Member of the Board

9/14/06  
Date