

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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VICKI L. SCHUSTER, O.T.

LS0611142OTB

RESPONDENT.

04 OTB 7

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

Vicki L. Schuster
4520 N. Clarendon Ave. #801
Chicago, IL 60640

Wisconsin Occupational Therapists Affiliated Credentialing Board
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

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. Vicki Lynn Schuster (dob: 11/12/56) is and was at all times relevant to the facts set forth herein an occupational therapist licensed in the State of Wisconsin pursuant to license #3870. This license was first granted 1/16/02. She is or has also been licensed in Minnesota, Illinois, and Louisiana, and has been certified by the National Board for Certification in Occupational Therapy.

2. On 4/21/04, Respondent was arrested by police for speeding, and was found to have a blood alcohol level of 0.185% by weight, and to have marijuana and cocaine, both of which are controlled substances, in her purse; she did not have a prescription or other authority to possess either. She was convicted of possession of a controlled substance and operating a motor vehicle while influenced by an intoxicant in Wood County Circuit Court on 10/4/04. She was ordered to pay \$774 in fines and assessments for the controlled substances violation plus \$642 for the OWI. Her driving license was suspended for six months, and she was ordered to complete an AODA evaluation and complete any recommended treatment.

3. Respondent did undergo an AODA evaluation, and obligations were imposed upon her as a condition of regaining her driving license. At a subsequent evaluation in July, 2005, at Courage to Change Recovery, Respondent stated that her last use of any unprescribed controlled substance was in April, 2004; therefore she was not diagnosed with any substance use disorder. She was found to lack knowledge about substance abuse and dependence. Respondent has been diagnosed with other medical conditions, and is taking medications which have the potential to be psychoactive.

CONCLUSIONS OF LAW

A. The Wisconsin Occupational Therapists Affiliated Credentialing Board has jurisdiction to act in this matter pursuant

to Wis. Stats. § 448.968 and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

B. The conduct described in paragraph 2, above, violated Wis. Stat. § 448.968(2)(b). 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, effective the date of this Order, Vicki L. Schuster, OT, is REPRIMANDED for her unprofessional conduct in this matter.

IT IS FURTHER ORDERED, effective the date of this Order, the license of Respondent is LIMITED as follows:

LIMITATIONS

Sobriety

1. Respondent shall abstain from all personal use of alcohol.
2. Respondent shall abstain from all personal use of controlled substances as defined in Wis. Stat. § 961.01(4), except when prescribed, dispensed or administered by a practitioner for a legitimate medical condition. Respondent shall disclose Respondent's drug and alcohol history, all medications then being regularly taken, and the existence and nature of this Order to the practitioner prior to the practitioner ordering the controlled substance. Respondent shall at the time the controlled substance is ordered immediately sign a release in compliance with state and federal laws authorizing the practitioner to discuss Respondent's treatment with, and provide copies of treatment records to, the Department Monitor, the Board or its designee.

Practice Limitations

3. Respondent shall provide a copy of this Final Decision and Order and all other subsequent orders immediately to supervisory personnel at all settings where Respondent works as an Occupational Therapist or otherwise provides health care, currently or in the future.
4. It is Respondent's responsibility to arrange for written reports from supervisors to be provided to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance, and shall include the number of hours of active practice during that quarter.
5. Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

MISCELLANEOUS

Department Monitor

6. Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, faxed or delivered to:

Department Monitor
Wisconsin 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
department.monitor@drl.state.wi.us

Required Reporting by Respondent

7. Respondent is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Respondent shall promptly notify the Department Monitor of any violations of any of the terms and conditions of this Order by Respondent. Additionally, every three (3) months the Respondent shall

notify the Department Monitor of the Respondent's compliance with the terms and conditions of the Order, and shall provide the Department Monitor with a current address and home telephone number.

Petitions for Modification of Limitations or Termination of Order

8. Respondent may petition the Board for modification of the terms of this Order or termination, however no such petition for modification shall occur earlier than one year from the date of this Order and no such petition for termination shall occur other than in compliance with paragraph A.3. Any such petition for modification shall be accompanied by a written recommendation from Respondent's supervisor(s) expressly supporting the specific modifications sought. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Respondent shall not have a right to any further hearings or proceedings on the denial.

Costs of Compliance

9. Respondent shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

Costs of Proceeding

10. Respondent shall pay costs of \$900 to the Department of Regulation and Licensing, before her license is next renewed.

Additional Discipline

11. In addition to any other action authorized by this Order or law, violation of any term of this Order may be the basis for a separate disciplinary action pursuant to Wis. Stat. § 441.07.

Dated at Madison, Wisconsin this 14th Day of November, 2006.

WISCONSIN OCCUPATIONAL THERAPY BOARD, by:

Gail C. Slaughter OTR/L
A member of the Board