

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**
KENNETH C. DAVIS, R.N., :
RESPONDENT. : LS0710044NUR

Division of Enforcement Case #06 NUR 271

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

Kenneth C. Davis, RN
609 N. Woods Edge Dr.
Oregon, WI 53575

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

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. Kenneth C. Davis (D.O.B. 7/5/69) is duly licensed in the state of Wisconsin as a professional nurse (license #121059). This license was first granted on 8/31/95.
2. On 7/13/06, Respondent submitted a sample of urine from his body as part of a pre-employment physical examination for a nursing position. The sample showed that Respondent had ingested marijuana, a Schedule I controlled substance, and Respondent admits that he has occasionally used this substance for non-medical purposes, and without an order from an authorized prescriber or other lawful authority.

CONCLUSION OF LAW

By the conduct described above, respondent is subject to disciplinary action against his license to practice as a nurse in the state of Wisconsin, pursuant to Wis. Stats. §441.07(1)(b) and (d), and Wis. Adm. Code § N 7.04(1) and (2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that :

1. Respondent, Kenneth C. Davis, R.N., is REPRIMANDED for his unprofessional conduct in this matter.
2. Respondent shall, upon request of the Board or the Department of Regulation and Licensing, including any person acting at the request of either (including a law enforcement officer), provide a sample of his hair, breath, urine, or blood, for analysis. This shall not be deemed a limitation upon Respondent's license.
3. 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.

IT IS FURTHER ORDERED that respondent shall pay the costs of investigating and prosecuting this matter, in the amount of \$200, on or before January 5, 2008. In the event Respondent fails to timely submit full payment of the Costs as set forth below, Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has paid them in full, including any accrued interest.

WISCONSIN BOARD OF NURSING

By: Marilyn Kaufmann
A Member of the Board

10/4/07
Date