

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
GERALDINE RAND, R.N., :  
RESPONDENT. : LS0706216NUR

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Division of Enforcement Case # 05 NUR 410

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

Geraldine Rand, R.N.  
2327 Turnberr Ct.  
Beloit, WI 53511

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. Geraldine Rand, R.N., (DOB 02/17/1940) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-61583). This license was first granted on January 10, 1975.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 2327 Turnberr Ct., Beloit, Wisconsin, 53511.
3. On or about December 14, 2005, Respondent was observed on a security camera removing Temazepam and Xanax from the pharmacy at the hospital in which she worked. When confronted, she admitted taking the drugs for her own use.
4. Respondent later admitted that she started diverting Halcion and Valium for her personal use in 1984. She later began taking Percocet, Percodan and Tylenol #3. She continued diverting medications for personal use until 1989, at

which time she entered a 30-day inpatient drug treatment program. She states that she remained drug-free until 2000, when she again began diverting Temazepam. She began diverting Xanax in 2005.

5. Respondent went through drug treatment in December of 2005 and January of 2006.

### 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 3-5 above constitutes a violation of Wisconsin Administrative Code § NR 7.04(2) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

### ORDER

IT IS ORDERED:

1. The stipulation of the parties is approved.
2. The Board of Nursing accepts the surrender of the license of Geraldine Rand, R.N. (license # 30-61583), to practice as a nurse in the State of Wisconsin and the surrender of her privilege to practice in Wisconsin pursuant to the Multi-state Nurse Licensure Compact.
3. In the event that Ms. Rand re-applies for Wisconsin licensure as a nurse in the future, the Board may enter an order denying such application without further notice or hearing.
4. This Order shall become effective upon the date of its signing.

Dated at Madison, Wisconsin this 21<sup>st</sup> day of June, 2007.

Board of Nursing

By: Marilyn Kaufmann

A Member of the Board

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST :  
 : STIPULATION  
GERALDINE RAND, R.N., : LS# \_\_\_\_\_  
RESPONDENT. :

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Division of Enforcement Case # 05 NUR 410

Geraldine Rand, 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 # 05 NUR 410). Respondent consents to the resolution of this investigation by stipulation.
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, as well as her privilege to practice nursing pursuant to the Multi-State Nurse Licensure Compact. 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. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

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Geraldine Rand, R.N.  
2327 Turnberr Ct.  
Beloit, WI 53511

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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

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Date