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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

TONI E. HAUER, R.N., :
RESPONDENT. :

FINAL DECISION AND ORDER
LS0710046NUR

Division of Enforcement Case # 03NUR107

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

Toni E. Hauer, R.N.
9902 West National Avenue
Milwaukee, WI 53227

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 Wisconsin 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. Toni E. Hauer, R.N., the Respondent herein, date of birth 4/18/53, was duly licensed as a registered nurse in the state of Wisconsin, license # 106515. This license was first granted on 3/21/91 and expired on 2/29/04.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 6307 West Port Avenue, Milwaukee, Wisconsin 53223.
3. Respondent's most recent address is 9902 West National Avenue, Milwaukee, Wisconsin 53227.
4. At all times relevant to this action, Respondent was working as a registered nurse in the state of Wisconsin, except that Respondent has not practiced as a registered nurse since May 2002.
5. Respondent has the right to renew her license to practice as a registered nurse in the state of Wisconsin by payment of a renewal fee and a late fee and is not required to demonstrate continued competence in the practice of nursing to the Wisconsin Board of Nursing as a prerequisite to credential renewal pursuant to Wis. Stat. § 440.08(3) and Wis. Admin. Code § N 5.08.
6. On October 1, 1999, Respondent was convicted of obtaining a controlled substance by fraud, a felony, in violation of Wis. Stat. § 961.43(1)(a). As the result of this conviction and the subsequent revocation of her probation, Respondent is currently under the supervision of a parole officer following her release from prison. This crime for which Respondent was convicted is substantially related to the practice of registered, professional and practical nursing.
7. Respondent is currently under treatment for drug abuse. Respondent has also been diagnosed with bipolar disorder and is currently under treatment for this condition.
8. Respondent has tendered the voluntary surrender of her right to renew her license to practice as a registered and professional nurse in the state of Wisconsin and has agreed to accept the terms of this Final Decision and Order.

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 paragraph 6, above, constitutes a violation of Wis. Admin. Code § N 7.04(1).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The voluntary surrender of Toni E. Hauer's right to renew her license to practice as a registered and professional nurse in the state of Wisconsin, license # 106515, is hereby accepted.
2. Toni E. Hauer will not practice as a registered or professional nurse or engage in the practice of practical nursing in the state of Wisconsin when not currently licensed in the state of Wisconsin as a registered or professional nurse or as a practical nurse.
3. Toni E. Hauer will not practice as a registered or professional nurse or as a practical nurse in the state of Wisconsin under the authority of the Nurse Licensure Compact until such time as she is licensed in the state of Wisconsin to practice as a registered or professional nurse or as a practical nurse.
4. In the event Toni E. Hauer elects at any time in the future to make application for a license to practice as a registered or professional nurse or as a licensed practical nurse in the state of Wisconsin, Toni E. Hauer will:

a. Appear before the Wisconsin Board of Nursing to demonstrate that she is rehabilitated and is competent to safely practice nursing in the state of Wisconsin;

b. Comply with all terms the Wisconsin Board of Nursing then establishes for the granting of her application; and

c. Comply with all of the requirements for licensure in effect at the time of the application.

IT IS FURTHER ORDERED that:

5. The costs of this matter are waived.

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

Wisconsin Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

10/4/07
Date