

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	:	ORDER OF
	:	SUMMARY SUSPENSION
KAREN GOEBEL, R.N.,	:	Case No. LS 0803171NUR
RESPONDENT.	:	

Division of Enforcement Cases # 08 NUR 003

The Petition for Summary Suspension of April 1, 2008, was noticed to be presented at 10:30 a.m. on April 3, 2008. At the time and place noticed, attorney Michael Berndt appeared for the Complainant, Department of Regulation and Licensing, Division of Enforcement.

The Wisconsin Board of Nursing, having considered the sworn Petition for Summary Suspension and the April 1, 2008 Affidavit of Service of Notice of Presentation and Petition for Summary Suspension of Sandra L. Nowack, and, having heard the arguments of counsel, hereby makes the following:

FINDINGS OF FACT

1. Karen J. Goebel, R.N., (DOB 03/26/1953) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-109279). This license was first granted on March 20, 1992.
2. Respondent's address of record, on file with the Wisconsin Board of Nursing is 470 East 8th Street, Fond du Lac , Wisconsin, 54935.

Bases for Finding of Notice to Respondent

3. On April 1, 2008, Sandra L. Nowack placed in the regular U. S. mail with proper postage in an envelope addressed to Respondent at 470 East 8th Street, Fond du Lac, Wisconsin, 54935, which appears as Respondent's last known address in the files and records of the Department of Regulation and Licensing, true and accurate copies of the following documents dated April 1, 2008:
 - a. Notice of Presentation of Petition for Summary Suspension
 - b. Petition for Summary Suspension
4. On April 1, 2008, Sandra L. Nowack spoke with Respondent via telephone and advised her of the date, time and location of this proceeding.
5. On April 1, 2008, Sandra L. Nowack sent, via e-mail, copies of the aforementioned documents to Respondent at Karen_goebel@sbc.global.net.
6. Notice has been given under Wis. Adm. Code § RL 6.05.

Bases for Summary Suspension

7. On or about December 4, 2007, Respondent filed a complaint against a licensed psychologist, and took issue with an assessment he had done which concluded that Respondent was incompetent to stand trial for disorderly conduct and telephone harassment charges. The psychologist had diagnosed Respondent with a delusional disorder.
8. A Division of Enforcement investigation revealed that Respondent was terminated from a nursing position. Her personnel file documented bizarre behavior such as: (1) claiming she could forecast future events by typing them into a

computer; (2) believing that someone was following her; (3) refusing to come to work because she believed she was only safe in her home; (4) claiming she was part of an FBI investigation; and (5) putting a sign on her door that read: "House Closed – Gone – FBI/Presidential/Citizen protection.

9. Further investigation revealed that Respondent had multiple contacts with police. Incidents referenced in police reports include: (1) Respondent made harassing telephone calls to a physician she had worked with and looked in his home windows; (2) Respondent expressed belief that a co-worker's twin babies were her own and were fathered by the physician she was making harassing calls to; (3) Respondent believed that there were tracking devices in her car; (4) Respondent had barricaded her doors with chairs and other furniture; (5) Respondent yelled at people outside of a hospital; (6) Respondent stated that she saw lips move in a picture and it spoke to her; (7) Respondent stated that crows were following her; and (8) Respondent stated that she had the ability to read people's minds.

10. In Fond du Lac County Circuit Court Case No. 06CM379, as a result of Respondent's contacts with the physician with whom she had worked, with his family and residence, the state charged Respondent with one count of disorderly conduct and one count of telephone harassment. On December 10, 2007, the case was suspended as the Court found Respondent incompetent to stand trial.

11. The Court's determination that Respondent was incompetent to stand trial was based in part on the the November 29, 2007, report of Dr. Kenneth H. Smail, Ph.D., Director of the Wisconsin Forensic Unit. Dr. Smail determined that Respondent was mentally ill, with a diagnosis of Paranoid Delusional Disorder. Dr. Smail further opined:

I believe the evidence regarding [Respondent's] competency to proceed is substantially similar to the description of her in my report to the court dated December 20, 2006. She has no appreciation as to the existence of her mental illness and has no appreciation as to the role that her mental illness may have played in her apparent conduct. I do not believe that she has a capacity to rationally understand the prosecution of this case, and for that reason, I believe that she is not competent to proceed. That opinion is offered to a reasonable degree of professional certainty...I note that individuals who have a Delusional Disorder typically respond much more slowly to psychiatric intervention than those that have other psychiatric diagnoses of mental illness such as Schizophrenia.

12. Respondent has repeatedly told the Division of Enforcement that she believes Dr. Smail mixed up her file with that of another patient. Records indicate that Respondent has repeatedly refused treatment. She obtained an evaluation in January 2008, which she says indicates she is competent to stand trial.

13. Respondent continues to deny her mental illness and on March 21, 2008, Respondent, in response to the formal complaint, wrote that "Within the competency to stand trial report, Kenneth Smail did not find me delusional."

14. Linda Denise Oakley, R.N., Ph.D., Dr. Oakley is a professor of nursing and expert in clinical nursing and in mental health nursing, and has opined, to a reasonable degree of professional certainty, that:

a. Respondent has exhibited conduct consistent with the diagnosis of Paranoid Delusional Disorder, and which demonstrates impairments in judgment such that she is unable to practice nursing with reasonable skill and safety to patients.

b. It is necessary to suspend Respondent's license to practice nursing in the State of Wisconsin immediately to protect the public's health, safety and welfare.

15. Respondent's conduct as set forth above, establishes that she is mentally incompetent to practice nursing as that term is defined by Wis. Admin. Code § N 7.03(3).

16. Because Respondent is mentally incompetent to practice nursing, because she does not recognize the extent of her mental illness, and because she has not successfully completed treatment to address her mental illness, public health, safety and welfare imperatively require emergency suspension of Respondent's license to practice nursing.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter pursuant to Wis. Stat. § 447.07 and has authority to summarily suspend Respondent's license to practice as a registered nurse in the State of Wisconsin, pursuant to Wis. Stat. § 227.53(3) and Wis. Admin. Code ch. RL 6.
2. Notice has been given to Respondent as required by Wis. Admin. Code § RL 6.05.
3. There is probable cause to believe that Respondent has engaged in or is likely to engage in conduct such that the public health, safety or welfare imperatively requires emergency suspension of Respondent's license to practice as a registered nurse.

ORDER

IT IS ORDERED that the license of Karen Goebel, R.N., to practice as a registered nurse in the state of Wisconsin is summarily suspended, effective immediately upon Respondent receiving actual notice of this summary suspension order or upon service of this summary suspension order upon Respondent or her attorney under Wis. Admin. Code § RL 6.06(3), whichever is sooner.

IT IS FURTHER ORDERED that this Order continues to be in effect until the effective date of a final order and decision in the pending disciplinary proceeding against Respondent, unless otherwise ordered by the Board.

IT IS FURTHER ORDERED that Respondent is hereby notified of her right, pursuant to Wis. Adm. Code § RL 6.09, to request a hearing to show cause why this summary suspension order should not be continued and is further notified that any request for a hearing to show cause should be filed with the Board of Nursing, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708.

IT IS FURTHER ORDERED that in the event that Respondent requests a hearing to show cause why the summary suspension should not be continued, that hearing shall be scheduled to be heard on a date within 20 days of receipt by the Board of Respondent's request for hearing, unless Respondent requests or agrees to a later time for the hearing.

Dated at Madison, Wisconsin this 3rd day of April, 2008.

WISCONSIN BOARD OF NURSING

By: Marilyn Kaufmann
A Member of the Board