

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
DONNA M. COLLINS, R.N.,	:	LS0807242NUR
RESPONDENT.	:	

Division of Enforcement Case # 05 NUR 025

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

Donna M. Collins, R.N.
1620 15th Avenue
Kenosha, WI 53140

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. Donna M. Collins, R.N., (DOB 10/16/1957) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-113707). This license was first granted on September 24, 1993.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 1620 15th Avenue, Kenosha, Wisconsin, 53140.
3. In or about December, 2004, Respondent filed a complaint with the Department of Regulation and Licensing Division of Enforcement, without naming the person against whom she was complaining. The complaint was nonsensical and appeared to reflect paranoid and/or delusional thinking.
4. In or about May of 2006, Respondent filed a second complaint with the Department of Regulation and Licensing Division of Enforcement, this time with a first name of who she was complaining about, but with no other identifying

information. Again, the complaint was nonsensical and appeared to reflect paranoid and/or delusional thinking.

5. Respondent has been receiving psychiatric treatment for generalized anxiety and insomnia since July 7, 2007. Her psychiatrist has seen no evidence of mood disturbance, psychosis or cognitive impairment. He states that she is currently stable and functions well, and that there is no evidence of mental impairment that would affect her job performance.

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 and 4 above evidences mental incompetency as defined by Wisconsin Administrative Code § N 7.03(3) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c).

ORDER

IT IS ORDERED:

1. The license of Donna M. Collins, R.N., to practice nursing in the State of Wisconsin is LIMITED as follows:
 - (a) Respondent shall continue as a patient of her current psychiatrist, or a psychiatrist approved in advance by the Board, at a frequency recommended by the psychiatrist but not less than once every six months. Respondent shall follow the recommendations of the psychiatrist and comply with all recommended treatment.
 - (b) Respondent shall participate in psychotherapy with a therapist approved in advance by the board, at a frequency recommended by the therapist but not less than once per month. Respondent shall follow the recommendations of the therapist and comply with all recommended treatment.
 - (c) Respondent shall practice only in a work setting pre-approved by the Board or its designee. Respondent may not work in a home health care, hospice, pool nursing, or agency setting.
 - (d) 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 a nurse or care giver or provides health care, currently or in the future.
 - (e) Respondent shall arrange for written reports from her therapist and her supervisors, to be provided to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's mental health and work performance, and shall include the number of hours of active nursing practice worked during that quarter.
 - (f) Respondent shall sign and keep current appropriate authorizations for the release of information to the Department of Regulation and Licensing, from her psychiatrist, her therapist and her supervisors.
 - (g) 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.
2. Pursuant to Uniform Nursing Licensure Compact regulation, Respondent's nursing practice is limited to Wisconsin during the pendency of this Order and any subsequent related orders. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and of the regulatory board in the state in which Respondent proposes to practice.
3. After two years, Respondent may petition the Board for modifications to these limitations. Any such petition should be supported by the written recommendations of Respondent's psychiatrist and therapist. The Board may require a personal appearance by Respondent, in its discretion. If Respondent is dissatisfied with the Board's decision she may seek a class 1 hearing pursuant to Wis. Stat. § 227.01(3)(a), in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious. Requesting a hearing does not stay the Board's decision on the petition during the pendency of the hearing process.
4. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of Four Hundred Dollars (\$400.00), pursuant to § 440.22(2), Stats.

5. All petitions, requests, reports and payments required by this Order shall be mailed, faxed or delivered to:

Department Monitor

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

6. 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.

7. In the event Respondent's psychiatrist or therapist determines that Respondent cannot practice nursing with reasonable skill and safety of patients and public, Respondent's license (#30-146052) SHALL BE SUSPENDED, without further notice or hearing, until such time as Respondent provides convincing proof to the contrary.

8. In the event Respondent fails to pay costs as ordered the Respondent's license (#30-146052) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

7/24/08
Date

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
DONNA M. COLLINS, R.N.,	:	LS# _____
RESPONDENT.	:	

Division of Enforcement Case # 05 NUR 025

Donna M. Collins, 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 025). 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 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.
5. 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.
6. 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.
7. 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.
8. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Donna M. Collins, R.N.
1620 15th Avenue
Kenosha, WI 53140

Date

Jeanette Lytle, Attorney
Division of Enforcement
Wisconsin Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Date