

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
MARK A. BETZ,	:	
RESPONDENT.	:	ORDER0000291

Division of Enforcement Case # 08 NUR 406

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

Mark A. Betz
140 W. Main
Marquette, MI 49855

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. Mark A. Betz, (DOB 08/18/1955) was formerly licensed as a registered nurse in the state of Wisconsin (license #30-152785). This license was first granted on November 16, 2005, and expired on March 2, 2010. Pursuant to Wis. Stat. § 440.08, Respondent may renew his license upon payment of a fee until March 2, 2015.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 140 W. Main, Marquette, Michigan, 49855.

3. On or about November 4, 2080, while working as a nurse in Michigan, a co-worker reported that Respondent's speech was pressured, rapid and exaggerated. Later, he was observed by a co-worker taking a Sharp's box into an empty patient room, and pulling the curtain closed. When he left, the co-worker entered the room and found two Sharp's boxes, both partially full. Another co-worker then reported that the week before, Respondent had taken a Sharp's box into an empty patient room, stating he was going to empty it. However, it was only partially full, and normal procedure would be to wait until the box was full, then a nursing assistant would take the full box to a utility room, where a contract agency would pick it up.

4. On or about November 20, 2008, while working as a nurse in Michigan, Respondent was requested to provide blood and urine for a "reasonable suspicion" drug test. Respondent provided blood, but refused to provide urine.

5. On or about June 16, 2009, while working as a nurse in Michigan, Respondent was captured on camera in a biohazard room, rummaging through a Sharp's container and removing a fentanyl patch. When confronted by law enforcement, Respondent admitted to removing a fentanyl patch from the container for personal use. He later admitted to relapsing on alcohol since April of 2009, which he said lead to diversion of morphine and fentanyl patches. Respondent was disciplined by the Michigan Board of Nursing.

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 § N 7.04(1) and (2), and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

IT IS ORDERED:

1. The SURRENDER of Mark A. Betz of his right to renew his license to practice nursing in Wisconsin upon payment of a fee is hereby accepted.

2. The SURRENDER of Mark A. Betz of his privilege to practice nursing in the State of Wisconsin under another state license pursuant to the Nurse Licensure Compact is hereby accepted.

3. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of Three Hundred Dollars (\$300.00). Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

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

Board of Nursing

By: Karen Sun
A Member of the Board
7/22/10
Date