

# 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
CAROL T. STRAKS, L.P.N.,	:	
RESPONDENT.	:	ORDER 0000309

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Division of Enforcement Case # 10 NUR 170

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

Carol T. Straks, L.P.N.  
526 W. Lincoln St.  
Waupun, WI 53963

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. Carol T. Straks, L.P.N., (DOB 09/12/1961) is duly licensed as a practical nurse in the State of Wisconsin (license # 31-24016). This license was first granted on May 29, 1981.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 526 W. Lincoln Street, Waupun, Wisconsin, 53963.

3. On or about March 31, 2010, while working at a nursing home, Respondent and another nurse noted at the end of Respondent's shift that there were two extra oxycodone pills. Although the narcotic sheet indicated that the patient had received two oxycodone at 21:30, Respondent guessed that she had forgotten to give them to the patient at 21:30, so she crossed off 21:30 and inserted 22:30, punched out the pills and started toward the patient's room.

4. Before she reached the patient's room, Respondent decided that she had in fact given the pills at 21:30, so she flushed the two pills she had punched out, without a witness.

5. The patient stated that she never received the two pills.

6. Respondent agreed to a drug test, which was negative for non-prescribed controlled substances.

#### 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 3-6 above constitutes a violation of Wisconsin Administrative Code § N 7.03(1) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c).

#### ORDER

##### IT IS ORDERED:

1. Respondent, Carol T. Straks, L.P.N., is REPRIMANDED for the above conduct.

2. Respondent's license to practice nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is LIMITED as follows:

a. Respondent, at her own expense, shall complete four (4) hours of pre-approved continuing education in the administration of controlled substances and related documentation, within 90 days of the date of this Order. Respondent is responsible for finding appropriate courses and submitting the course information to the Board for approval prior to taking the course and in sufficient time to obtain board approval within

the 90-day time frame, taking into account the Board's meeting schedule.

3. 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 \$100.00 pursuant to Wis. Stat. § 440.22(2).


4. Requests for approval, notification of completion of educational programs and payment shall be faxed, mailed or delivered to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax (608) 266-2264  
Telephone (608) 267-3817

5. 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. In the event that Respondent fails to pay costs as ordered or fails to comply with the ordered continuing education, Respondent's license may, in the discretion of the Board or its designee, be S USPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

Wisconsin Board of Nursing

By:   
A Member of the Board

7/22/10  
Date