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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING
IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

FINAL DECISION AND ORDER

BETHANY A. DOWNING, R.N.,
RESPONDENT.

Order 0000324

Division of Enforcement Case #10 NUR 48

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

Bethany A. Downing
1417 Prairie St
Beloit WI 53511

Wisconsin Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
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. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Bethany Ann Downing (dob: 8/25/69) is and was at all times relevant to the facts set forth herein a professional nurse licensed in the State of Wisconsin pursuant to license #166299. This license was first granted 1/13/09. Respondent is or was also licensed in Illinois (since 5/3/01 as a professional nurse, and previously as a practical nurse since 6/13/89), Colorado (1/23/04 through 9/30/05) and Arizona (since 1/10/10).

2. On 12/31/08, Respondent was arrested for operating a vehicle while influenced by an intoxicant (OWI) in Rockford, IL, and refused to submit a sample of her breath for testing. She was verbally belligerent to the investigating officer and threatened to refuse to assist police who brought persons arrested for OWI to the emergency room, where she was employed as a nurse, in the future. Respondent represents to the Board that she regrets her behavior toward the officer.

3. Respondent later admitted to drinking 4-5 times per week, ½ to one bottle of wine each, in the weeks before her OWI arrest. Following an evaluation at Rosecrance Hope Recovery, Rockford, IL, Respondent was diagnosed with alcohol dependence. Respondent participated in treatment for her condition at Rosecrance Hope Recovery, and attends 12 step group meetings several times per week. Respondent represents to the Board that she has not consumed beverage alcohol since 12/31/08.

4. Respondent is currently engaged in nursing practice in Arizona, and does not expect to return to Wisconsin.

CONCLUSIONS OF LAW

A. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07(1)(b),(c), and (d), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

B. The conduct described in paragraph 2, above, violated Wis. Stat. § 441.07(1)(c) and Wis. Adm. Code §§ N 7.03(2) and N 7.04(1) and (15). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

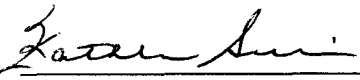
ORDER

IT IS ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, effective the date of this Order, the SURRENDER of the license to practice nursing of Bethany A. Downing, R.N., is ACCEPTED. Respondent shall not practice nursing in Wisconsin, including under the Nurse Licensure Compact, without a license from the Board.

IT IS FURTHER ORDERED, that if Respondent ever applies for a license or reinstatement, she shall pay the Costs of this proceeding, in the amount of \$250, to the Department of Regulation and Licensing.

Wisconsin Board of Nursing

By: 
A Member of the Board

7/22/10
Date

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