

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
SHERRY L. TRACY, R.N., :
RESPONDENT. : ORDER0000463

Division of Enforcement Case # 109NUR 005

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

Sherry L. Tracy, R.N.
8978 Holz Lane
Nekoosa, WI 54457

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. Sherry L. Tracy, R.N., (DOB 08/10/1958) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-138342). This license was first granted on August 23, 2001.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 8978 Holz Lane, Nekoosa, Wisconsin, 54457.

3. On or about December 23, 2009, Respondent reported for work with a blood alcohol level of 0.159. Respondent had been at a Christmas party the night before, and had consumed alcohol.

4. Respondent underwent an alcohol and drug assessment, which concluded that the December 23, 2009 was a one-time incident. Respondent was not diagnosed with any issues relating to alcohol use, and was not recommended for treatment.

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 paragraph 3 above constitutes a violation of Wisconsin Administrative Code § N 7.03(2) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

IT IS ORDERED:

1. Sherry L. Tracy, R.N. is REPRIMANDED.
2. Respondent shall, within 120 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of Three Hundred Dollars (\$300.00), pursuant to Wis. Stat. § 440.22(2).
3. All payments, and any other correspondence, shall be directed to the Department Monitor, as follows:

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

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

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

Wisconsin Board of Nursing

By: *Karen Smith*
A Member of the Board

10-14-10
Date