

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
BEVERLY J. HAGEN, L.P.N.,	:	
RESPONDENT.	:	ORDER 0000524

Division of Enforcement Case # 10 NUR 341

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

Beverly J. Hagen, L.P.N.
3540 Library Drive unit 407
Cudahy, WI 53110-1615

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. Beverly J. Hagen, L.P.N., (DOB 10/25/1950) is duly licensed as a practical nurse in the State of Wisconsin (license # 31- 26591). This license was first granted on December 2, 1983.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 3540 Library Drive, Unit 407, Cudahy, Wisconsin, 53110-1615.

3. At all relevant times, Respondent worked as a clinical substance abuse counselor at an outpatient and day treatment provider program that provided services to criminal offenders.

4. One of Respondent's assigned clients was R.B. R.B. began receiving services from Respondent on August 25, 2009, and continued to receive treatment from Respondent until May, 2010.

5. Beginning in January 2010, and continuing until at least July, 2010, Respondent had sexual contact with R.B.

6. Respondent has received discipline for this conduct under her clinical substance abuse counselor license.

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 5 above constitutes a violation of Wisconsin Administrative Code § N 7.04(1), and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

IT IS ORDERED:

1. Beverly J. Hagen, L.P.N., is REPRIMANDED.
2. The license of Beverly J. Hagen, L.P.N., 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 six (6) hours of pre-approved continuing education in professional boundaries, 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.

- b. For a period of at least two (2) years from the date of this order, Respondent shall work only under direct supervision, and only in a work setting pre-approved by the Board. Respondent shall not work in a home health, agency or pool position.
- c. For a period of at least two (2) years from the date of this Order, Respondent shall arrange for quarterly reports from her nursing employer(s) reporting the terms and conditions of her employment and evaluating her work performance. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing Division of Enforcement, at P.O. Box 8935, Madison, Wisconsin, 53708-8935.
- d. Pursuant to Uniform Nurse Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and the regulatory board in the state in which Respondent proposes to practice.

3. 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 One Hundred Fifty Dollars (\$150.00), pursuant to Wis. Stat. § 440.22(2).

4. All payments, reports and 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

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 continuing education, 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.

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

Wisconsin Board of Nursing

By: Karen Ann
A Member of the Board

11/4/10
Date