

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
LAURIE A. BLUM, R.N.,	:	
RESPONDENT.	:	ORDER 0000321

Division of Enforcement Case # 09 NUR 406

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

Laurie A. Blum, R.N.
234 19th Street
Fond du Lac, WI 54935 *LAB 4-20-11*

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. Laurie A. Blum, R.N., (DOB 05/24/1966) is duly licensed as a registered nurse in the State of Wisconsin (license # 30- 156706). This license was first granted on December 1, 2006.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 234 19th Street, Fond du Lac, Wisconsin, 54935. *pp. 35 2-A-B 4-26-11*

3. At all relevant times, Respondent worked as a nurse at Kettle Moraine Correctional Institution.

4. Beginning in early November of 2009, and continuing until early December of 2009, Respondent had sexual contact with an inmate, including five instances of sexual contact in an exam room.

5. On or about July 22, 2010, the Board of Nursing issued an interim order suspending Respondent's license to practice nursing pending the final outcome of these proceedings. This order was stipulated to by Respondent and her attorney.

6. Ms. Blum has not practiced nursing since December 4, 2009.

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 4 above constitutes a violation of Wisconsin Administrative Code § N 7.04(1) and (11) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

IT IS ORDERED:

1. The license of Laurie A. Blum, R.N. to practice nursing in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are **SUSPENDED** for an indefinite period of no less than two years, backdated to December 4, 2009. At any time after December 4, 2011, Respondent may petition the Board to end the suspension. Prior to the suspension being lifted:

- (a) Respondent shall have undergone, at her own expense, an assessment by a therapist with experience in the diagnosis and treatment of sex offenders. The assessor must not have treated Respondent at any time and shall have been approved by the Board, with an opportunity for the Division to make its recommendation, prior to the assessment being performed. The assessment completed by Dr. Gene Braaksma dated March 31, 2010, will fulfill this requirement, provided that Dr. Braaksma provides an addendum to his report addressing Respondent's fitness to practice nursing given the facts of this case and her psychological condition, as described in more detail below.

Respondent shall authorize the assessor to provide the Board, or its designee, and the Division with the assessment report and all materials used in performing the assessment and shall provide the Board, or its designee, and the Division with the opportunity to discuss the assessment and findings with the assessor.

The assessor shall have provided an opinion to a reasonable degree of professional certainty that Respondent is able to practice nursing with reasonable skill and safety of patients and public and does not suffer from any condition which prevents her from practicing in that manner. This opinion must be accompanied by the assessor's reasoning, articulated to the Board's satisfaction. If the assessor has rendered the opinion required above and supported that opinion to the Board's satisfaction, then the Board may remove the suspension. If the assessor renders an opinion that Respondent can practice nursing with limitations on her license, the Board may impose such limitations.

- (b) Respondent shall, at her own expense, have completed a nurse refresher course approved in advance by the board.

2. The license of Laurie A. Blum, R.N. to practice nursing in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

- (a) For a period of at least two (2) years from the date on which the suspension is lifted, 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.
- (b) For a period of at least two (2) years from the date on which the suspension is lifted, Respondent shall practice only in a work setting pre-approved by the Board or its designee. Respondent may not work in corrections, home health care, hospice, pool nursing, or agency setting.
- (c) Respondent shall notify the Department Monitor of any change of nursing employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.

3. Respondent shall, within ninety (90) days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of Six Hundred Dollars (\$600.00), 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, 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. If Respondent believes that the Board's refusal to end the suspension is inappropriate or that any limitation imposed or maintained by the Board is inappropriate, Respondent may seek a class 1 hearing pursuant to Wis. Stat. § 227.01(3)(a), in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious. The suspension or limitations on Respondent's license shall remain in effect until there is a final decision in Respondent's favor on the issue.

7. During the pendency of this Order and any subsequent related orders, Respondent may not practice in another state pursuant to the Nurse Licensure Compact under the authority of a Wisconsin license, unless Respondent receives prior written authorization to do so from both the Wisconsin Board of Nursing and the regulatory board in the other state.

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

Wisconsin Board of Nursing

By: Kelly Sle
A Member of the Board (DW)

June 22, 2011
Date