

# 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**

LOUISE A. SCHMAHL, L.P.N.,  
RESPONDENT.

Order 000012216

Division of Enforcement Case #09 NUR 81

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

Louise A. Schmahl  
P.O. Box 193  
Pepin, WI 54759

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**

A disciplinary proceeding was commenced in this matter by the filing of a Notice of Hearing and Complaint with the Board on April 6, 2010. Prior to the hearing on the Complaint, the parties in this matter agreed to the terms and conditions of the attached Stipulation as the final disposition 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. Louise A. Schmahl (dob: 4/24/50) is and was at all times relevant to the facts set forth herein a practical nurse licensed in the State of Wisconsin pursuant to license #11916. This license was first granted 12/13/71.
2. On 12/21/08, Respondent was on duty at the Pepin Manor, a skilled nursing facility in Pepin, Wisconsin. Respondent directed a certified nursing assistant to administer sublingual liquid morphine, for which the resident had an order. Respondent represents to the Board that she did so only because she was occupied with providing care to another resident, and that the resident

with the morphine order was in need of the medication. The CNA declined to administer the medication to the resident.

3. Respondent is presently unable to practice nursing because of health issues; she has not worked as a nurse since 1/22/09. For these reasons only, she desires to settle this matter by surrendering her license.

### 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. Adm. Code § N 7.04(intro)~~ and (5). 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 of Louise A. Schmahl, L.P.N., to practice as a nurse in the State of Wisconsin 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 the costs of this matter are \$250, and are waived, but if Respondent ever seeks licensure, she may be required to pay them at that time.

Wisconsin Board of Nursing

By: 

A Member of the Board

January 27, 2011

Date

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