

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
ANDREA M. NUNEZ,	:	<i>ORDER 0000658</i>
RESPONDENT.	:	

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Division of Enforcement Case No. 09 MED 109

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

Andrea M. Nunez  
3715 Rural Street  
Rockford, IL 61107

Wisconsin Medical Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Wisconsin 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. Andrea M. Nunez (DOB September 22, 1973) was granted a license to practice respiratory care in the state of Wisconsin (license no. 3243-28) on July 21, 2005. Respondent's license expired on October 31, 2009; however, Respondent retains the right of automatic renewal through October 31, 2014.

2. Respondent's most recent address on file with the Wisconsin Medical Examining Board is 911 17<sup>th</sup> Avenue, Lower Apt., Rockford, Illinois 61104. Upon information and belief, Respondent's actual address is 3715 Rural Street, Rockford, Illinois 61104.

3. While not admitting the allegations, in the interest of resolving this matter, Respondent consents to the entry of the following Findings of Fact, Conclusions of Law and Order.

4. At all times relevant to this matter, Respondent was working for Beloit Memorial Hospital, 1969 West Hart Road, Beloit, Wisconsin 53511.

5. On March 26, 2009, a patient's family asked that Respondent not care for the patient due to Respondent's behavior. The family observed that Respondent moved very fast, talked fast and appeared to be "high".

6. As a result of the actions in paragraph 5, above, and pursuant to hospital policy, Respondent was asked to take a drug and alcohol screen. The test results showed that Respondent tested positive for cocaine. Respondent was terminated from employment effective April 3, 2009.

#### CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The information provided in paragraphs 5 and 6, above, constitutes a violation of Wis. Admin. Code § Med 10.02(2)(p).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the stipulation of the parties is approved.

IT IS FURTHER ORDERED that Andrea M. Nunez will not reapply for licensure to practice respiratory care in the State of Wisconsin at any time in the future and that the Department of Regulation and Licensing will not process any application for renewal of the license of Andrea M. Nunez, from the date of this Order.

MEDICAL EXAMINING BOARD

By:   
A member of the Board

2/16/11  
Date