

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

MARY E. DOWELL, R.N.,
RESPONDENT.

:
:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0000 981

Division of Enforcement Case No. 10NUR559

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

Mary E. Dowell, R.N.
221 Northfield St.
Duluth, MN 55803

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. Mary E. Dowell, R.N., (D.O.B. 10/5/1966) is licensed as a registered nurse in the State of Wisconsin (license # 30-156404). This license was first granted on September 20, 2006.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 221 Northfield St., Duluth, MN 55803.

3. Beginning in July 2002, and at all times relevant, Respondent was employed as a registered nurse at a Minnesota hospital.

4. On December 2, 2010, the Minnesota Board of Nursing ("Board") issued a Consent Order, accepting the voluntary surrender of Respondent's registration certificate. The Consent Order was based on the following facts:

- a. Between February 2008 and December 2009, Respondent's employer noted several concerns with Respondent's nursing practice, including using profanity within hearing of a patient; delaying discharges and resisting taking new admits; failing to address patients' critically high lab results; documenting completion of an intravenous (IV) site assessment for a patient but failing to change the IV solution and rate; and not being helpful or supportive to unlicensed assistive personnel.
- b. Respondent was provided multiple corrective and disciplinary actions to improve her practice, including verbal counseling in February 2008; a verbal warning in September 2008; a written warning in March 2009; and a disciplinary suspension in May 2009.
- c. Respondent's 2008 and 2009 performance evaluations documented the ongoing concerns about Respondent's practice and indicated Respondent's lack of awareness or appreciation for the concerns.
- d. On January 6, 2010, Respondent submitted her resignation effective February 5, 2010.
- e. On January 25, 2010 at 7:00 a.m., Respondent reported for her scheduled shift and staff members noted she had a strong odor of alcohol. When questioned, Respondent denied she had been drinking alcohol. During the conversation, Respondent excused herself three times to go to the restroom and on one occasion she was overheard vomiting. Respondent was asked to submit to an alcohol screen or agree to the immediate termination of her employment. Respondent declined the screen and resigned her employment, effective immediately.
- f. On September 1, 2010, Respondent was admitted to a residential chemical dependency treatment facility. Respondent was diagnosed with alcohol dependence, substance-induced mood disorder with depressive features, and substance-induced anxiety disorder. Respondent's treatment records indicate Respondent stated her intent to surrender her nursing licenses rather than submit to a monitoring program. On September 28, 2010, Respondent completed the treatment program.
- g. On October 5, 2010, the Board received a letter from Respondent's attorney stating Respondent desired to voluntarily surrender her registration certificate.
- h. On October 18, 2010, Respondent was discharged from the Health Professionals Services Program ("HPSP") for noncooperation after Respondent informed the HPSP that she did not wish to participate because she will be surrendering her 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 above constitutes a violation of Wisconsin Administrative Code § N 7.04(7) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

IT IS ORDERED:

1. The SURRENDER of the license of Mary E. Dowell to practice nursing in the State of Wisconsin is hereby accepted.


2. The SURRENDER of the privilege of Mary E. Dowell to practice nursing in the State of Wisconsin under another state license pursuant to the Nurse Licensure Compact is hereby accepted.

3. In the event that Respondent ever reapplies for any credential in Wisconsin Respondent shall, prior to such application, pay costs of this proceeding in the amount of \$150. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

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

Wisconsin Board of Nursing

By: 
A Member of the Board

5-5-11
Date