

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

TRICIA L. REES, R.N.,
RESPONDENT.

:
:
:
:
:

ORDER FOR
SUMMARY SUSPENSION
ORDER 0000882

Division of Enforcement Case No. 11NUR234

The Petition for Summary Suspension of May 24, 2011, noticed to be presented at 10:00 a.m. on June 2, 2011, came on for hearing before the Wisconsin Board of Nursing (Board) at the time and place noticed. Attorney Jeanette Lytle appeared for the Complainant, Department of Regulation and Licensing, Division of Enforcement. Respondent did not appear.

The Board having considered the sworn affidavit of paralegal Lori Hoechst regarding service; the sworn Petition for Summary Suspension; the sworn affidavit of Consumer Protection Investigator Joshua Pulver; and, having heard the arguments of counsel, hereby makes the following:

FINDINGS OF FACT

1. On May 24, 2011, Paralegal Lori Hoechst served on Respondent the Notice of Petition for Summary Suspension, dated May 24, 2011, and the Petition for Summary suspension, dated May 24, 2011, by mailing a true and accurate copy of those documents by regular mail and certified mail to the latest address on file with the Department, and by e-mailing a true and accurate scanned copy of those documents to the latest e-mail address on file with the Department.

2. Tricia L. Rees, R.N., Respondent, date of birth 04/07/1976, is licensed by the Wisconsin Board of Nursing as a professional nurse pursuant to license number 143392-30, which was first granted March 6, 2003.

3. Respondent's last address reported to the Department of Regulation and Licensing is 2000 Ruben Drive, Waukesha, WI 53186.

4. At all times relevant, Respondent was employed at University of Wisconsin Hospital and Clinics ("UWHC") as a contract professional nurse.

5. On May 3, 2011, two nursing coordinators were alerted that Respondent was impaired as she appeared altered and glassy eyed.

6. Respondent was accompanied to the UWHC Emergency Department where she underwent a Fitness for Duty evaluation. Upon completion of the evaluation and drug testing at approximately 11:00 p.m., Respondent was escorted out of the building.

7. At approximately 1:00 a.m. on May 4, 2011, Respondent arrived at the UWHC Emergency Department as a patient following a motor vehicle accident. The Emergency Department physician noted that Respondent made statements upon arrival that no one was to 'touch her purse' or 'open her brown bag.' During the initial trauma evaluation, the Emergency Department physician discovered Respondent had an accessed mediport. When the waste was drawn off the port prior to drawing labs, a white, milky substance was pulled into the Huber needle extension tubing and syringe. The physician believed the substance was Propofol.

8. The Madison Police Department ("MPD") was contacted after a floor nurse reported that she discovered an 18-gauge needle and syringes with a milky white substance in the staff bathroom located on the floor Respondent had been working the night before.

9. Another floor nurse reported finding a pull-tab for Propofol bottle and syringes in the visitor bathroom also located on the floor Respondent had been working. She also found a syringe and needle with a milky white substance on top of a sharps container in Respondent's patient's room, as well as an empty bottle of Propofol inside the sharps container. This patient did not have a prescription or physician's order for Propofol.

10. The MPD searched Respondent's bag and discovered three bottles of Propofol; one opened and two unopened. The two unopened bottles belonged to current patients of UWHC.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter pursuant to Wis. Stat. § 441.07.

2. The Wisconsin Board of Nursing has authority to summarily suspend a license to practice nursing pursuant to Wis. Stat. § 227.53(3), and Wis. Admin. Code § RL 6.

3. There is probable cause to believe that Respondent has engaged in or is likely to engage in conduct such that the public health, safety or welfare imperatively requires emergency suspension of Respondent's license to practice nursing.

ORDER

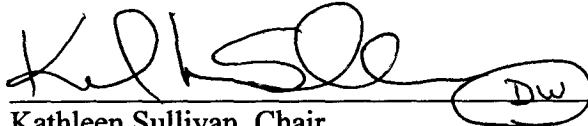
IT IS ORDERED that the license of Tricia L. Rees, R.N., to practice nursing in the State of Wisconsin is summarily suspended, effective immediately upon Respondent receiving actual notice of this summary order or upon service of this summary suspension order upon Respondent under § RL 6.06(3), Wis. Admin. Code, whichever is sooner.

IT IS FURTHER ORDERED that this Order continues to be in effect until the effective date of a final order and decision in the pending disciplinary proceeding against Respondent, unless otherwise ordered by the Board.

IT IS FURTHER ORDERED that Respondent is hereby notified of her right, pursuant to Wis. Adm. Code § RL 6.09, to request a hearing to show cause why this summary suspension order should not be continued and is further notified that any request for a hearing to show cause should be filed with the Wisconsin Board of Nursing, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

IT IS FURTHER ORDERED that in the event that Respondent requests a hearing to show cause why the summary suspension should not be continued, that hearing shall be scheduled to be heard on a date within 20 days of receipt by the Board of Respondent's request for hearing, unless Respondent requests or agrees to a later time for the hearing.

Dated at Madison, Wisconsin this 2nd day of June, 2011.



Kathleen Sullivan, Chair
Board of Nursing