

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

CATHY L. BUTTERBRODT-OINES, R.N.,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:

ORDER 0000976

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Division of Enforcement Case No. 11NUR065

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

Cathy L. Butterbrodt-Oines, R.N.  
702 S. University Avenue  
Beaver Dam, WI 53916

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. Cathy L. Butterbrodt-Oines, R.N., (DOB 03/30/1964) is licensed as a professional nurse in the State of Wisconsin (license no. 30-116873). This license was first granted on July 21, 1994.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 702 S. University Avenue, Beaver Dam, WI 53916.

3. At all times relevant, Respondent was employed as a registered nurse at Beaver Dam Community Hospitals, Inc. in Beaver Dam, Wisconsin.

4. On January 24, 2011, Respondent slipped on ice and fell while at work. Pursuant to company policy, Respondent voluntarily underwent a post-accident urine drug screen, which tested positive for Amphetamines. According to Respondent, she took one 30 mg Vyvanse, which is prescribed to her son for his ADHD. Respondent took the medication because she was scheduled to work a 12-hour shift and she did not get much sleep the night before due to marital issues. Respondent's employment was terminated.

5. Respondent underwent an alcohol and drug assessment at the request of the Department. The assessor indicated that the Respondent was not dependent on alcohol or drugs.

#### 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(2) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

#### ORDER

#### IT IS ORDERED:

1. Cathy L. Butterbrodt-Oines, R.N., is REPRIMANDED.

2. The license of Cathy L. Butterbrodt-Oines, 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:

Respondent shall not consume any controlled substance listed in Schedule I-IV without a valid prescription of an authorized prescriber, and for a valid medical purpose. Respondent shall, upon request of the Board or its designee, or the Department, or an investigator thereof (including a law enforcement officer, acting at the request of the Board or its designee, the Department, or an investigator thereof), submit a sample of Respondent's blood, urine, breath, and/or hair (as designated by the requesting person) for analysis, forthwith upon such request.

3. After two (2) years from the date of this Order, Respondent may petition the board for the modification or termination of the limitation. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit.

4. 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).

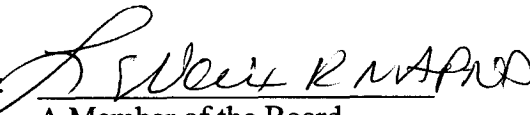
5. All petitions, payments, reports and other correspondence shall be mailed or delivered to:

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

6. 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.

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

Wisconsin Board of Nursing

By:   
A Member of the Board

7/21/11  
Date