

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wsccl>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

REGINA M. SWENSON, R.N.,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0000995

Division of Enforcement Case No. 10 NUR 499

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

Regina Swenson, R.N.
1634 Delaware Blvd.
Madison, WI 53704-1818

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. Regina Swenson, R.N., (D.O.B. 1/31/1978) is licensed as a professional nurse in the State of Wisconsin (license # 30-140260). This license was first granted on February 14, 2002.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 1634 Delaware Blvd., Madison, WI 53704-1818.

COUNT I

3. On or about Tuesday, October 19, 2010, in the City of Fitchburg, Dane County, Wisconsin, Respondent did intentionally enter a dwelling, without the consent of the person in lawful possession of the place, and with intent to steal, contrary to Wis. Stats. §§ 943.10(1m)(a) and 939.50(3)(f), a Class F Felony.

4. This was the home of a former patient of Respondent's. Respondent learned of the existence and location of the medication, during the course of her employment as a nurse, and because of the nurse-patient relationship she had with the victim.

5. Respondent did in fact steal a quantity of a prescription medication, gabapentin, which was the property of the patient, without the patient's consent and with intent to permanently deprive the patient of possession of the medication.

6. Respondent had in 2010, also entered this patient's house and taken medication, without consent.

7. On February 23, 2011 Respondent pled guilty to one count of burglary, a Class F Felony. Entry of a judgment of conviction was deferred, and Respondent was permitted to enter a "drug court" program, under terms and conditions, including: that Respondent shall surrender her nursing license.

COUNT II

8. On 10/16/2007, 11/6/2007, 12/4/2007, and 1/7/2008, Respondent provided prescriptions to a pharmacist, which purported to be prescription orders for an oxycodone product and/or a fentanyl product, both of which are Schedule II controlled substances, which were prescribed to Respondent.

9. The orders had been altered by Respondent to specify a dispensing date of the date they were presented (instead of the date specified by the prescriber, which was a future date), and, in the case of the fentanyl prescriptions, to increase the strength of the dosage unit from 12 mcg/hr to 50 or 100 mcg/hr.

10. On all occasions except the last, Respondent received the medications based on the altered prescription orders.

11. When questioned by a police detective, Respondent stated that she had no idea how the orders came to be altered, and suggested that a person or persons unknown had removed them from her purse, altered them, and replaced them into her purse.

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 count I, above, constitutes a violation of Wis. Admin. Code § N 7.04(12) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

3. The conduct described in count II, above, constitutes a violation of Wis. Admin. Code § N 7.04(1) and (2) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

IT IS ORDERED:

1. The SURRENDER of the license of Regina Swenson to practice nursing in the State of Wisconsin is hereby accepted.

2. The SURRENDER of the privilege of Regina Swenson 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 licensure as a nurse in Wisconsin Respondent shall, prior to such application, pay costs of this proceeding in the amount of one thousand dollars (\$1,000.00). 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.

Dated at Madison, Wisconsin this July 21, 2011.

Wisconsin Board of Nursing

By: L. Wiley RN, APNP
A Member of the Board
akt