

## 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	:	
	:	FINAL DECISION AND ORDER
CYNTHIA F. KILEY, R.N.,	:	
RESPONDENT.	:	ORDER 0001076

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Division of Enforcement Case No. 11NUR356

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

Cynthia F. Kiley, R.N.  
3020 Triverton Pike Drive #104  
Fitchburg, WI 53711

Division of Enforcement  
Department of Safety and Professional Services  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Board of Nursing  
Department of Safety and Professional Services  
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. Cynthia F. Kiley, R.N., (DOB 07/26/1977) is licensed as a professional nurse in the State of Wisconsin (license no. 151956-30). This license was first granted on July 15, 2005.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 3020 Triverton Pike Drive #104, Fitchburg, WI 53711.

3. On May 24, 2010 while employed as a professional nurse with HospiceCare in Madison, Wisconsin, Respondent completed a random drug screen, which tested positive for Cocaine Metabolite. There was no legal order for Cocaine. Respondent's employment with HospiceCare was terminated on May 27, 2010.

4. Respondent self-referred to UW-Health Gateway Recovery program on May 26, 2010 following a cocaine binge. Respondent was diagnosed with Alcohol Dependency, Cocaine Dependency and Post-traumatic Stress Disorder.

5. On March 23, 2011, Respondent signed an Agreement for Participation in the Professional Assistance Procedure ("PAP"). During Respondent's enrollment, she underwent the following drug tests:

- a. April 6, 2011 – Abnormal; Creatinine, Urine (16.6);
- b. May 12, 2011 – Dilute; Creatinine, Urine (14.8);
- c. May 20, 2011 – Positive; Benzodiazepines, Oxazepam, Oxazepam GC/MS Conf (902), Temazepam;
- d. June 20, 2011 – Dilute; Creatinine, Urine (13.5);
- e. June 29, 2011 – Abnormal; Creatinine, Urine (13.0); and
- f. July 12, 2011 – Abnormal; Creatinine, Urine (18.0).

6. On July 29, 2011, Respondent emailed the PAP coordinator stating "As of July 26, 2011, I have decided to no longer pursue a career as a registered nurse and will no longer be participating the PAP."

7. On August 2, 2011, Respondent was dropped from participation in the PAP.

#### 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 above constitutes a violation of Wisconsin Administrative Code § N 7.03(2) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(c).

ORDER

IT IS ORDERED:

1. The SURRENDER of the license of Cynthia F. Kiley to practice nursing in the State of Wisconsin is hereby accepted.

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

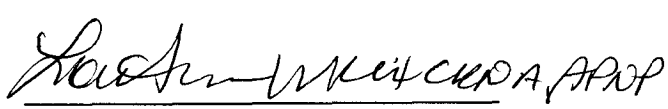
3. In the event that Respondent re-applies for licensure as a nurse in the future, the Board may enter an order denying such application without further notice or hearing.

4. 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 two hundred dollars (\$200.00). Payment shall be made payable to the Wisconsin Department of Safety and Professional Services, and mailed to:

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

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

Board of Nursing

By:  Sept 1, 2011  
A Member of the Board Date