

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CLAIRE E. WEINGART, R.N.,	:	
RESPONDENT.	:	ORDER 0001246

Division of Enforcement Case No. 11NUR241

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

Claire E. Weingart, R.N.
626 E. State St. Apt 702
Milwaukee, WI 53202-3249

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

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. Claire E. Weingart, R.N., (DOB 08/17/1987) is licensed as a professional nurse in the State of Wisconsin (license no. 167596-30). This license was first granted on July 20, 2009.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 626 E. State St. Apt 702, Milwaukee, WI 53202-3249.

3. Between January and April 2011, while working as a professional nurse at Froedert Hospital in Milwaukee, Wisconsin, Respondent manifested symptoms from a variety of health issues and substance abuse which impacted her ability to practice nursing in a safe manner and in a manner meeting standards of minimum competence.

4. Respondent is currently receiving treatment for her health issues and wishes to suspend her license until such time as she can return to work in a safe manner.

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 paragraphs 3 and 4 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 license of Claire E. Weingart, R.N., to practice nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Multi-State Nursing Compact, are indefinitely SUSPENDED. Respondent may petition for reinstatement of her license after:

- a) Respondent, at her own expense, undergoes an Alcohol and Other Drug Abuse (“AODA”) assessment:
 - i. The assessor must not have treated Respondent at any time and shall have been approved by the Board, with an opportunity for the Division to make its recommendation, prior to the assessment being performed;
 - ii. The Division shall provide the assessor and Respondent with those portions of the investigative file which the Division believes may be of assistance in performing the assessment. Respondent may provide the assessor with any information Respondent believes will be of assistance in performing the assessment and shall immediately provide copies of that information to the Division;
 - iii. Respondent shall authorize the assessor to provide the Board, or its designee, and the Division with the assessment report and all materials used in performing the assessment and shall provide the Board, or its designee, and the Division with the opportunity to discuss the assessment and findings with the assessor.

b) Respondent, at her own expense, undergoes a fit for duty evaluation:

- i. The evaluator must not have treated Respondent at any time and shall have been approved by the Board, with an opportunity for the Division to make its recommendation, prior to the evaluation being performed.
- ii. The Division shall provide the evaluator and Respondent with those portions of the investigative file which the Division believes may be of assistance in performing the evaluation. Respondent may provide the evaluator with any information Respondent believes will be of assistance in performing the evaluation and shall immediately provide copies of that information to the Division.
- iii. Respondent shall authorize the evaluator to provide the Board, or its designee, and the Division with the evaluation report and all materials used in performing the evaluation and shall provide the Board, or its designee, and the Division with the opportunity to discuss the evaluation and findings with the evaluator.

c) Respondent shall submit, or cause to be submitted, a letter from her psychologist addressing Respondent's current condition, treatment plan, any factors that pose a risk to Respondent's ability to safely practice and any recommendations to ensure Respondent is safe to practice;

2. If Respondent shows, to the Board's satisfaction, that Respondent is safe to practice nursing, the Board shall lift the suspension. However, the Board may limit Respondent's license in any manner it sees fit to address the facts above and any recommendations resulting from the AODA assessment, fit for duty evaluation, and letter from Respondent's psychologist, including but not limited to direct supervision and quarterly employer work reports.

3. Respondent shall, within one hundred twenty (120) days from the date of this Order, pay costs of this proceeding in the amount of Six Hundred Dollars (\$600.00).

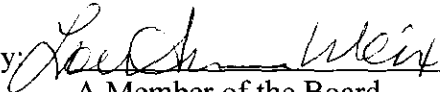
4. All petitions, payments, reports and other correspondence shall be directed to the Department Monitor, as follows:

Department Monitor
Department of Safety and Professional Services
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Fax (608) 266-2264
Telephone (608) 267-3817

5. 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 or remain SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

Board of Nursing

By: 
A Member of the Board

12/1/11
Date