

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	:	
	:	FINAL DECISION AND ORDER
KIMBERLY M. TAUSCHECK, R.N.,	:	
RESPONDENT.	:	ORDER 0001521

Division of Enforcement Case No. 12NUR016

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

Kimberly M. Tauscheck, R.N.
W6728 County U
Plymouth, WI 53073

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 (Board). 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. Kimberly A. Tauscheck, R.N., (DOB 04/13/1969) is licensed as a professional nurse in the State of Wisconsin (license no. 113941-30). This license was first granted on September 24, 1993.

2. Respondent's most recent address on file with the Department of Safety and Professional Services is W6728 County U, Plymouth, WI 53073.

3. On May 6, 2010, the Wisconsin Board of Nursing issued a Final Decision and Order (Order) against Respondent in which Respondent's license to practice as a professional nurse was indefinitely suspended with no stay until Respondent petitioned the Board and provided proof that she is in compliance with provisions of the Order.

4. The Order included the following practice limitation:

Respondent shall not work as a nurse or other health care provider in a setting in which Respondent passes controlled substances. In the event that Respondent, in the course of her duties in her current position as nursing supervisor, must pass a controlled substance, she must have a witness to the administration and the witness must sign the medication administration record. All controlled substances to which Respondent has access must be audited weekly by another licensed professional.

5. The Order was based on Respondent having submitted fraudulent prescriptions for narcotic drugs to various pharmacies in Wisconsin. Respondent stole prescription pads from two physicians and forged their signatures. Respondent was convicted of three counts of possession of illegally obtained prescription drugs and was sentenced to two years probation.

6. Respondent never petitioned the Board for a stayed suspension; her license has been suspended since May 14, 2010.

7. Despite the Order, Respondent remained employed as a supervising professional nurse in Franklin, Wisconsin.

8. On July 21, 2010, Respondent's employer allowed her access to witness wasting of controlled substances, but her access to dispense controlled substances remained denied.

9. An investigation of Respondent's access to controlled substances revealed that between February 5, 2011 – present, Respondent dispensed controlled substances on 18 occasions. Additional chart review revealed that in the same period, Respondent administered controlled substances without a witness to the administration and without a witness signing the medication administration record on 33 occasions.

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 7 above constitutes a violation of Wis. Admin. Code § N 5.03(1) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(b).

3. The conduct described in paragraphs 7-9 above constitutes a violation of Wis. Admin. Code § N 7.04(14) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

4. The conduct described in paragraph 9 above constitutes a violation of Wis. Admin. Code § 7.04(2) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

IT IS ORDERED:

1. Kimberly A. Tauscheck's right to renew her license as a professional nurse in the State of Wisconsin is REVOKED.

2. The privilege of Kimberly M. Tauscheck to practice nursing in the State of Wisconsin, pursuant to the Nurse Licensure Compact, is REVOKED.

3. Respondent shall, within 120 days of the date of this Order, pay to the Department of Safety and Professional Services COSTS of this proceeding in the amount of Three Hundred Dollars (\$300.00), pursuant to Wis. Stat. § 440.22(2). Payment shall be made 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

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

Wisconsin Board of Nursing

By: *Britchen Lowe*
A Member of the Board

5/3/12
Date