

## 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

BETH A. SCHUMACHER, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0001811**

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Division of Enforcement Case No. 10NUR577

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

Beth A. Schumacher, R.N.  
301 Heather Dr.  
Cottage Grove, WI 53527

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. Beth A. Schumacher, R.N., (D.O.B. 11/1/1970) is licensed as a registered nurse in the State of Wisconsin (license no. 30-149644). This license was first granted on January 20, 2005.

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2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 301 Heather Drive, Cottage Grove, WI 53527.

3. At all relevant times, Respondent was employed by Care Wisconsin First, Inc., in Madison, Wisconsin.

4. Respondent has not been the subject of any prior disciplinary proceeding.

5. On October 2, 2010, Respondent attended Patient C.P.'s birthday party, at his home, after working hours. Respondent was intoxicated and engaged in behavior that crossed professional boundaries.

6. Respondent voluntarily underwent a psychological assessment. The assessor expressed a need for treatment related to fitness to practice.

7. Accordingly, Respondent has entered into the course of treatment recommended by the assessor with a licensed psychologist specialist acceptable to the Department and has voluntarily agreed to a suspension of her nursing license in accordance with the terms and conditions outlined below.

8. Respondent has also voluntarily undertaken and completed 12 credits of study in continuing education on the subject of professional boundaries and ethics.

#### 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 5 above constitutes a violation of Wis. Admin. Code § N 7.04 and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

#### ORDER

#### IT IS ORDERED:

1. The license of Beth A. Schumacher, 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** in accordance with the terms outlined herein.

2. Respondent shall, within 30 days of the date of this Order, enter into and continue mental health treatment with a treater acceptable to the Board or its designee ("Treater").

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Respondent shall participate in, cooperate with, and follow all mental health treatment recommended by Treater.

- a. Respondent shall immediately provide Treater with a copy of this Final Decision and Order and all other subsequent orders.
- b. Treater shall be responsible for coordinating Respondent's mental health treatment as required under the terms of this Order, and shall immediately report any violation of any of the terms and conditions of this Order to the Department Monitor. If Treater is unable or unwilling to serve as required by this Order, or if Respondent desires to change or substitute Treater, Respondent shall immediately seek approval of a successor Treater by the Board or its designee.
- c. The mental health treatment program shall include individual and/or group therapy sessions at a frequency to be determined by Treater. If Respondent seeks to reinstate her license, therapy may end only with the approval of the Board or its designee, after receiving a petition for modification.
- d. Treater shall submit formal written reports to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's progress. Treater shall report immediately to the Department Monitor any violation or suspected violation of this Order.
- e. Respondent shall provide and keep on file with Treater current releases complying with state and federal laws. The releases shall allow the Board, its designee, any employee of the Department of Safety and Professional Services, Division of Enforcement, and Respondent's attorneys to: (a) obtain all patient health care and treatment records and reports, and (b) discuss the progress of Respondent's mental health treatment with Treater. Copies of these releases shall immediately be filed with the Department Monitor and also sent to Respondent's attorneys.

3. Respondent may petition the Board for reinstatement of her license and privileges upon Respondent providing proof, which is determined by the Board or its designee to be sufficient, that Respondent has been in compliance with the provisions of Paragraph 2 of this Order for the most recent three (3) consecutive months.

- a. At the time Respondent petitions for reinstatement, Respondent shall provide the Board with a report from her Treater that shows to the Board or its designee's satisfaction that Respondent is fit to practice nursing.
- b. If the Treater shows, to the Board's satisfaction, that Respondent is fit to practice nursing, the Board shall lift the suspension. Removal of such suspension shall not be unreasonably withheld. However, the Board may limit Respondent's license in any manner it sees fit to address the facts above and any recommendations from her Treater, including but not limited to direct supervision and quarterly employer work reports.

4. Respondent shall, within one hundred twenty (120) days from the date of this Order, pay costs of this proceeding in the amount of One Thousand Five Hundred Dollars (\$1,500.00).

5. 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

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 or remain 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.

Board of Nursing

By *Leah Ann Wiley CRNA, APRN*  
A Member of the Board

6/7/12  
Date

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