

## 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

KATHRYN A. RE, R.N.,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
:  
**ORDER 000233 6**

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Division of Legal Services and Compliance<sup>1</sup> Case No. 12 NUR 554

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

Kathryn A. Re, R.N.  
700 Yale Avenue  
Bessemer, Michigan 49911

Wisconsin Board of Nursing  
P.O. Box 8935  
Madison, WI 53708-8935

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
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 disposition of this matter, subject to the approval of the Wisconsin Board of Nursing (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Kathryn A. Re, R.N., (dob November 22, 1950) is licensed in the State of Wisconsin as a professional nurse, having license number 30-111981, first issued on December 9, 1992 and current through February 28, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 700 Yale Avenue, Bessemer, Michigan 49911.

2. At all times relevant to this case, Respondent worked as a nurse in the State of Michigan.

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<sup>1</sup> The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

3. On November 21, 2011, Respondent reported to work under the influence of alcohol.

4. On March 12, 2012, Respondent declined the Michigan Board of Nursing's referral to the Health Professional Recovery Program.

5. On September 18, 2012, the Michigan Board of Nursing suspended Respondent's license to practice nursing in Michigan.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### 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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Kathryn A. Re, R.N., engaged in unprofessional conduct as defined by Wis. Admin. Code § N 7.04(7) by having her license suspended in Michigan.

3. By the conduct described in the Findings of Fact, Kathryn A. Re, R.N., engaged in negligence as defined in Wis. Admin. Code § N 7.03(1) by reporting to work under the influence of alcohol.

4. As a result of the above conduct, Kathryn A. Re, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(c) and (d).

#### ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER of the license and privilege of Respondent Kathryn A. Re, R.N., (license no. 30-111981) to practice nursing in the State of Wisconsin or under another state license pursuant to the Nurse Licensure Compact is hereby accepted.

3. Respondent shall not petition the Board of Nursing for re-licensure for at least one (1) year from the date of this Order. After the one year period, Respondent may or may not be granted re-licensure, but may petition for re-licensure, under the following terms and conditions:

a. Respondent shall notify the Division of Legal Services and Compliance (Division) of the request and the Division shall have the opportunity to apprise the Board of all allegations and information contained in the investigative file.

b. Respondent shall meet all of the statutory and rule requirements for licensure in effect at the time of application.

c. In the event that Respondent petitions the Board of Nursing for re-licensure, Respondent shall pay to the Department of Safety and Professional Services the costs of this proceeding in the amount of \$200.00 which shall be paid prior to re-licensure pursuant to Wis. Stat. § 440.22(2).

d. In the event that Respondent petitions the Board of Nursing for re-licensure, Respondent shall, at her own expense, have undergone an assessment by a mental health care practitioner with experience in the diagnosis and treatment of health care providers with alcohol dependence.

e. The practitioner performing the assessment shall not have treated Respondent and prior to the assessment being performed, must be approved by the Board or its designee, with an opportunity for the Division of Legal Services and Compliance to make its recommendation.

f. Respondent must provide proof sufficient to the Board that Respondent can practice with reasonable skill and safety of clients and public.

g. The Board in deciding whether to grant the petition shall consider and weigh the three objectives of professional discipline:

- Protection of the public.
- Deterrence of the licensee and other licensees.
- Rehabilitation of the licensee.

h. If the Board determines to grant Respondent's petition for re-licensure, Respondent's license shall be limited in a manner to address any concerns the Board has as a result of the conduct set out in the findings of fact and to address any recommendations resulting from the assessment, including, but not limited to:

1) Psychotherapy, at Respondent's expense, by a therapist approved by the Board, to address specific treatment goals, with periodic reports to the Board by the therapist.

2) Additional professional education in any identified areas of deficiency.

3) Restrictions on the nature of practice or practice setting or requirements for supervision of practice, by a professional approved by the Board, with periodic reports to the Board by the supervisor.

4. If Respondent believes that any denial of licensure or that any limitation imposed by the Board is inappropriate, Respondent may seek a class 1 hearing pursuant to Wis. Stat. § 227.01(3)(a) in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious. The denial or limitations on Respondent's license shall remain in effect until there is a final decision in Respondent's favor on the issue.

5. All petitions, requests, reports and costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be mailed, faxed or delivered by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935, Madison, WI 53708-8935  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

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

WISCONSIN BOARD OF NURSING

By: *Shirley Lawe*  
A Member of the Board

3/14/13  
Date