

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

DAWN M. LINDEMANN, L.P.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:
: ORDER 0002384

Division of Legal Services and Compliance¹ Case No. 12 NUR 270

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

Dawn M. Lindemann, L.P.N.
10830 County Road X
Newton, WI 53063

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 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 Dawn M. Lindemann, L.P.N. (dob March 28, 1955) is licensed in the State of Wisconsin as a practical nurse, having license number 31-302849, first issued on October 4, 2000 and current through April 30, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 10830 County Road X, Newton, WI 53063.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. At all times relevant to this action, Respondent was employed as a practical nurse at a nursing home facility in Sheboygan, Wisconsin.

3. On December 17, 2011, a nurse, conducting an audit at the beginning of her shift, discovered that 3 vials of a Morphine Sulfate medication, a Class II Narcotic, were missing from a medication cart at the facility.

4. On December 20, 2011, an officer of the Sheboygan Police Department and the Director of Operations for the facility conducted an investigation to determine who was responsible for the missing narcotics. A surveillance video showed Respondent removing items from the medication cart and carrying them into a room out of view of the camera. The video also showed Respondent placing documents into a container to be destroyed. A search of the container found drug control records and other pharmacy documents directly related to the missing narcotics.

5. On December 20, 2011, a search warrant was issued and officers of the Sheboygan Police Department conducted a search of Respondent's residence. The officers did not discover the missing 3 vials of Morphine Sulfate. Instead, other non-narcotic drugs, such as ointments and breathing treatments, were located within the Respondent's residence.

6. On June 8, 2012, Respondent pled no contest to and was convicted of one count of Theft-Movable Property, a Class H Felony, in Sheboygan County Circuit Court, Sheboygan, Wisconsin.

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, Dawn M. Lindemann, L.P.N., violated Wis. Admin. Code § N 7.03(2) by failing to maintain competency in practice and methods of nursing care.

3. By the conduct described in the Findings of Fact, Dawn M. Lindemann, L.P.N., engaged in unprofessional conduct as defined in Wis. Stat. Admin. Code § N 7.04(1).

4. Therefore, Dawn M. Lindemann, L.P.N., is subject to discipline pursuant to Wis. Stat. § 441.07.

ORDER

1. The attached Stipulation is accepted

2. The SURRENDER by Respondent Dawn M. Lindemann, L.P.N., of her license (license no. 31-302849) to practice nursing in the State of Wisconsin, is ACCEPTED.

3. Respondent shall not practice nursing, including under the Nurse Licensure Compact, in Wisconsin, without a current license from the Board. Respondent may petition for reinstatement after twelve (12) months from the date of this Order. The Board shall grant reinstatement subject to proof of Respondent's successful participation and completion in a substance abuse assessment and counseling program.

4. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of Five Hundred Dollars (\$500.00).

5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent 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: Julio Nelson, RN
A Member of the Board

Date 4/13/11 (DU)
4/11/13 (DU)