

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

PAULA J. CARTER, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

0003210

Division of Legal Services and Compliance Case No. 12 NUR 591

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

Paula J. Carter, R.N.
5836 Raymond Rd. Apt. 1C
Madison, Wisconsin 53711

Wisconsin Board of Nursing
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

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 Paula J. Carter, R.N., (dob March 21, 1979) is licensed in the State of Wisconsin as a professional nurse, having license number 187352-30, first issued on March 5, 2012 and expires on February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 5836 Raymond Road, Apartment 1C, Madison, Wisconsin 53711.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at rehabilitation center (Center), located in Amery, Wisconsin.

3. On or about November 16, 2012, Respondent attended a work party. During this event, Respondent became too intoxicated to drive herself home safely and was driven home by a co-worker.

4. While being driven home, Respondent became uncooperative and malicious, attempting to exit the moving vehicle and threatening to slit her co-worker's throat. This conduct caused the co-worker to stop, exit the vehicle, hide from the Respondent, and call the police.

5. On the early morning of November 17, 2012, two (2) St. Croix Sheriff's Deputies arrived on scene and identified Respondent. Respondent was placed in handcuffs and interviewed by a St. Croix Sheriff's Deputy.

6. During this time, a background check was conducted on Respondent and it was discovered that Respondent was on probation through the Wisconsin Department of Corrections.

7. The deputy informed Respondent that she would be transported to jail, at which time Respondent began threatening the deputy.

8. On June 6, 2012, Respondent was convicted of two (2) counts of disorderly conduct, in violation of Wis. Stat. § 947.01(1), Dodge County case number 12CF077. These charges were based on Respondent's conduct toward multiple juveniles on March 3, 2012.

9. Respondent failed to report this conviction within 48 hours, in violation of Wis. Stat. § 440.03(13)(am).

10. On December 20, 2012, Respondent was convicted of disorderly conduct, in violation of Wis. Stat. § 947.01(1), St. Croix County case number 12CM614. These charges were based on Respondent's actions on November 17, 2012.

11. Respondent failed to report this conviction within 48 hours, in violation of Wis. Stat. § 440.03(13)(am).

12. On January 15, 2013, Respondent's probation in Dodge County Case No. 12CF077 was revoked as the result of her conviction in St. Croix County Case.

13. 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, Paula J. Carter, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04, not otherwise specified.

3. By the conduct described in the Findings of Fact, Paula J. Carter, R.N., violated Wis. Stat. § 440.03(13)(am) by failing to report her convictions.

4. As a result of the above conduct, Paula J. Carter, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. The license of Paula J. Carter, R.N., (license number 187352-30), to practice nursing in the state of Wisconsin and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are **SUSPENDED INDEFINITELY** from the date of this Order.

3. The suspension of Respondent's Wisconsin nursing license may be stayed upon Respondent petitioning the Board and providing proof, which is determined by the Board or its designee to be sufficient, that Respondent is fit to practice. Respondent must complete the following before petitioning the Board for stay of suspension:

- a. Respondent shall have, at Respondent's own expense, undergone an assessment by a mental health care provider experienced in evaluating health care practitioners' fitness for duty:
 - i. The provider performing the assessment must not have treated Respondent and shall have been approved by the Board or its designee, with the opportunity for the Division of Legal Services and Compliance to make its recommendation, prior to the evaluation being performed; and
 - ii. Within fifteen (15) days of the completion of the assessment, a written report regarding the results of the assessment shall be submitted to the Department Monitor at the address below.
- b. Respondent must provide proof sufficient to convince the Board that Respondent is able to practice with reasonable skill and safety to patients and the public and does not suffer from any condition which prevents Respondent from practicing in that manner;
- c. Respondent shall obtain an AODA assessment with an evaluator, pre-approved by the Board or its designee, who has experience conducting these assessments;
- d. If the Board determines to grant stay of suspension, 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:

- i. Psychotherapy, at Respondent's expense, by a therapist approved by the Board or its designee, to address specific treatment goals, with periodic reports to the Board by the therapist.
- ii. Additional professional education in any identified areas of deficiency.
- iii. 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. Pursuant to Uniform Nurse Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of this order and any related orders. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and the regulatory board in the state in which Respondent proposes to practice.

5. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,100.00.

6. 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 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

7. 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 for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as ordered as set forth above, Respondent's license (no. 187352-30) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

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

WISCONSIN BOARD OF NURSING

by:

Julie Nelson, RN
A Member of the Board

Date

5/8/14

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

PAULA J. CARTER, R.N.,
RESPONDENT.

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STIPULATION

0003210

Division of Legal Services and Compliance Case No. 12 NUR 591

Respondent Paula J. Carter, R.N., and the Division of Legal Services and Compliance,
Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the
Division of Legal Services and Compliance. Respondent consents to the resolution of this
investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily
and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has
the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by
subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral
arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution,
the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code,
and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has
been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by
the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of
the attached Final Decision and Order without further notice, pleading, appearance or consent of
the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the
form as attached.


5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not
be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.


8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Paula J. Carter, R.N., Respondent
5836 Raymond Rd. Apt. 1C
Madison, Wisconsin 53711
License no. 187352-30

4-02-14

Date



Amanda L. Florek, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison WI 53707-7190

4/2/14

Date