

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

ANN M. SCHULZE, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0003734.

Division of Legal Services and Compliance Case No. 14 NUR 534

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

Ann M. Schulze
460 Rowena Curve
Elko New Market, MN 55054

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 Ann M. Schulze, R.N., (dob October 28, 1959) is licensed in the State of Wisconsin as a professional nurse, having license number 170431-30, first issued on November 5, 2009 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 460 Rowena Curve, Elko New Market, Minnesota 55054.

2. On September 4, 2014, the Minnesota Board of Nursing (Minnesota Board) issued a Consent Order denying Respondent's application for reregistration as a registered nurse in Minnesota. The denial was based on conduct at two facilities in Wisconsin where Respondent was working as a professional nurse.

- a. In 2011, Respondent was employed at a nursing home in Spooner, Wisconsin, where she failed to follow proper medication handling procedures and took home multiple bottles of prescription medication for destruction.
 - b. In 2012, Respondent was employed as a professional nurse at a facility in Frederic, Wisconsin, where she failed to change a resident's wound dressing as scheduled, left her shift without completing an incident report, failed to complete weekly chart summaries and failed to complete weekly Medicare charts.
3. The Minnesota Board's denial provided that Respondent could reapply for licensure after 12 months of documented uninterrupted sobriety. At the time of reapplication, Respondent must demonstrate that she can practice with reasonable skill and safety, is successfully participating in a program of chemical dependency rehabilitation, and has been sober and free from mood-altering chemicals during the 12 months immediately preceding her petition. The Minnesota Board reserved the right to impose additional limitations on Respondent's license at the time of reapplication.
4. 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, Respondent violated Wis. Admin. Code § N 7.03(1)(b) by having a license to practice nursing denied, revoked, suspended, limited, or being otherwise disciplined in another state.
3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.
2. The professional license issued to Respondent (license number 195192-30) to practice nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is INDEFINITELY SUSPENDED from the date of this Order.
3. The suspension is hereby stayed based upon Respondent having provided proof, which was determined by the Board or its designee to be sufficient, that Respondent is in compliance with the provisions of the Minnesota Board's Consent Order or any subsequent orders issued at the time of Respondent's reapplication for licensure in Minnesota.

4. The Board or its designee may, without hearing, remove the stay upon receipt of information that Respondent is in substantial or repeated violation of any provision of the Minnesota Board's Consent Order. A substantial violation includes, but is not limited to, a positive screen for a mood-altering chemical. A repeated violation is defined as the multiple violation of the same provision or violation of more than one provision. The Board or its designee may, in conjunction with any removal of any stay, prohibit the Respondent for a specified period of time from seeking a reinstatement of the stay. Respondent shall provide copies of all subsequent Minnesota Board orders to the Board within 48 hours of issuance.

5. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$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 set forth above, Respondent's license (no. 170431-30) 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:  Jeff Miller DNP, APRN
A Member of the Board

8.12.15
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANN M. SCHULZE, R.N.,
RESPONDENT.

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STIPULATION

ORDER 0003734

Division of Legal Services and Compliance Case No. 14 NUR 534

Respondent Ann M. Schulze, 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.



Ann M. Schulze, R.N., Respondent
460 Rowena Curve
Elko New Market, MN 55054
License no. 170431-30

12-26-14

Date



Kim M. Kluck, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison WI 53707-7190

1/16/15

Date