

## 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

KARA A. FEDIE, R.N., A.P.N.P.,  
RESPONDENT.

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FINAL DECISION AND ORDER

0003898

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Division of Legal Services and Compliance Case No. 14 NUR 489

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

Kara A. Fedie, R.N., A.P.N.P.  
561 Chattanooga Drive  
Hudson, WI 54016

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 Kara A. Fedie, R.N., A.P.N.P., (dob January 26, 1975) is licensed in the State of Wisconsin as a professional nurse, having license number 173763-30, first issued on July 6, 2010 and current through February 29, 2016. Respondent is also certified as an advance practice nurse prescriber with certificate number 4090-33, first issued on August 2, 2010 and current through September 30, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 561 Chattanooga Drive, Hudson, Wisconsin 54016.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse and advanced practice nurse prescriber at a hospital (Hospital), located in Hudson, Wisconsin.

3. Respondent had recently had a miscarriage and was devastated.

4. In the weeks following the miscarriage, Respondent became overwhelmed, anxious and unable to sleep.

5. On August 4, 2014, Respondent was working at the Hospital and asked a colleague to cover her patients.

6. Respondent removed a 200 ml canister of sevoflurane from the supply room and left the Hospital.

7. Respondent drove to a field near her home, hitting a mailbox on her way. While in the field, Respondent inhaled the sevoflurane, which caused her to lose consciousness.

8. Police found Respondent and took her to a local hospital for a blood draw. Police then booked and released Respondent.

9. After being released by police, Respondent went back to the Hospital, cleaned out her locker and then removed two 20 ml vials of propofol, a 35 ml syringe and a needle.

10. Respondent walked to her car, which was still in the field near her home, drank two alcoholic beverages and sent good-bye messages to her sister and mother.

11. Respondent's mother called 9-1-1 and Respondent was found by police before injecting the propofol.

12. On August 8, 2014, Respondent resigned from employment at the Hospital and immediately sought intensive mental health treatment.

13. During the Department investigation Respondent voluntarily submitted to a fitness for duty. The provider found that Respondent was fit to return to the practice of nursing and that she did not have a drug or alcohol issue. The provider felt that this was due to unusual life circumstances which are currently being addressed through treatment.

14. 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, Kara A. Fedie, R.N., A.P.N.P., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.03(6)(g) by being unable to practice safely by reason of psychological impairment or mental disorder.

3. By the conduct described in the Findings of Fact, Kara A. Fedie, R.N., A.P.N.P., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.03(8)(e) by obtaining and possessing a drug without lawful authority.

4. As a result of the above conduct, Kara A. Fedie, R.N., A.P.N.P., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Kara A. Fedie, R.N., A.P.N.P., (license number 173763-30 and certificate number 4090-33) is REPRIMANDED.

3. The professional nursing license issued to Kara A. Fedie, R.N., A.P.N.P., (license number 173763-30 and certificate number 4090-33) to practice nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is LIMITED as follows:

- a. For a period of at least two (2) years, Respondent shall provide her nursing employers with a copy of this Order before engaging in any nursing employment.
- b. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall work only in a work setting pre-approved by the Board. Respondent shall not work in a home health, assisted living, agency or pool position.
- c. For a period of at least two (2) years while working at least half-time as a nurse, Respondent shall arrange for her nursing employer(s) to send to the Department Monitor quarterly reports, reporting the terms and conditions of her employment and evaluating her work performance.
- d. Respondent shall notify the Department Monitor of any change of nursing employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.
- e. Respondent shall not work as a nurse or other health care provider in a setting in which Respondent has unsupervised access to controlled substances. Respondent may have access to controlled substances only in the procedure room and during the procedure. All access to controlled substances must be witnessed by another nurse, nursing supervisor or physician.

- f. After two (2) years of working at least half-time as a nurse, Respondent may petition the Board for the modification or termination of the limitation. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit.

4. The professional nursing license issued to Kara A. Fedie, R.N., A.P.N.P., (license number 173763-30 and certificate number 4090-33) to practice nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is further LIMITED as follows:

- a. Respondent shall continue to seek treatment regarding her diagnosis. Treatment shall include individual and/or group therapy sessions at a frequency to be determined by the Treater. Therapy may end only with the approval of the Board or its designee, after receiving a petition for modification as outline in paragraph 2.f.
- b. Respondent shall immediately provide Treater with a copy of this Final Decision and Order and all other subsequent orders.
- c. 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 in treatment. Treater shall report immediately to the Department Monitor any violation or suspected violation of this Order
- d. Respondent shall provide and keep on file with Treater, all treatment facilities and personnel, laboratories and collections sites current releases complying with state and federal laws. The releases shall allow the Board, its designee, and any employee of the Department of Safety and Professional Services, Division of Legal Services and Compliance to: (a) obtain all specimen screen results and patient health care and treatment records and reports, and (b) discuss the progress of Respondent's treatment and rehabilitation with Treater and treatment facilities and personnel, laboratories and collection sites. Copies of these releases shall immediately be filed with the Department Monitor.
- e. If the Board or its designee determines the Treater or Approved Program has performed inadequately or has failed to satisfy the terms and conditions of this Order, the Board or its designee may direct that Respondent continue treatment and rehabilitation under the direction of another Treater or Approved Program.
- f. If Respondent decides to change treaters she must get pre-approval of the new treater by the Board or their designee.

5. Pursuant to Uniform Nurse Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of the above limitations. 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.

6. The Board or its designee may, without hearing, suspend Respondent's nursing license upon receipt of information that Respondent is in substantial or repeated violation of any provision of this Order. A repeated violation is defined as the multiple violations of the same provision or violation of more than one provision.

7. After two (2) years from the date of this Order, Respondent may petition the Board for the modification or termination of the limitations. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit.

8. Within 120 days from the date of this Order, Kara A. Fedie, R.N., A.P.N.P., shall pay COSTS of this matter in the amount of \$300.00.

9. Respondent shall send payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) to the Department Monitor at the address below. Work reports and all petitions shall also be 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

10. 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 Respondent fails to timely submit payment of costs as ordered, fails to submit work reports or fails to submit treatment reports as set forth above, Respondent's license (no. 173763-30) and certificate (no. 4090-33) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs, submitted all required work reports and treatment reports.

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

WISCONSIN BOARD OF NURSING

by:

  
A Member of the Board

4-9-15  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KARA A. FEDIE, R.N., A.P.N.P.,  
RESPONDENT.

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STIPULATION

0003898

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Division of Legal Services and Compliance Case No. 14 NUR 489

Respondent Kara A. Fedie, R.N., A.P.N.P., 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. Respondent is represented by Attorney Tamara B. Packard.


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 or Respondent's attorney, 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.

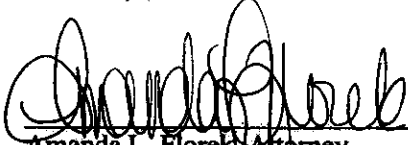
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Kara A. Fedie, R.N., A.P.N.P., Respondent  
561 Chattanooga Drive  
Hudson, WI 54016  
License no. 173763-30  
Certificate no. 4090-33

3-27-15  
Date

*Approved as to form:*  
  
Tamara B. Packard, Attorney for Respondent  
Cullen, Weston, Pines & Bach LLP  
122 West Washington Ave.  
Suite 900  
Madison, WI 53703

3/27/15  
Date

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

3/27/15  
Date