

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

JANIS R. BEYER, R.N.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0004363

Division of Legal Services and Compliance Case No. 15 NUR 441

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

Janis R. Beyer, R.N.
619 Selfridge Dr.
Duluth, MN 55811

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 Janis R. Beyer, R.N., (dob September 10, 1977) is licensed in the State of Wisconsin as a professional nurse, having license number 193851-30, first issued on January 10, 2013 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 619 Selfridge Drive, Duluth, Minnesota 55811.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at nursing telephone call center, located in Duluth, Minnesota.

3. On August 6, 2015, Respondent and the Minnesota Board of Nursing (Minnesota Board) entered into a Stipulation and Consent Order based on the following facts:

- a. On July 23, 2014, Respondent diverted one (1) dose of Adderall® from a coworker's purse. Respondent returned the pill.
- b. On July 25, 2014, Respondent's employment was terminated.
- c. On August 13, 2014, Respondent entered a treatment facility for substance abuse.
- d. On September 5, 2014, Respondent self-reported to the Health Professionals Services Program (HPSP).
- e. On October 29, 2014, Respondent signed the Participation Agreement with HPSP and agreed to the Monitoring Plan.
- f. Part of the Monitoring Plan required Respondent to:
 - i. Follow her treater's recommendations. The treater advised Respondent to avoid use of stimulants.
 - ii. Notify her physician of her participation in HPSP and her substance abuse disorder.
- g. On November 20, 2014, Respondent visited her primary care physician and requested a prescription for Adderall® contrary to her treater's advisement. Respondent did not notify her physician of her participation in HPSP or her substance use disorder. Respondent's physician denied her request.
- h. On December 1 and 4, 2014, Respondent failed to submit to a drug screen in violation of the Participation Agreement.
- i. On December 23, 2014, Respondent was unsatisfactorily discharged from HPSP for failing to maintain contact with the program and for missing two consecutive drug screens and her license to practice nursing in the State of Minnesota was suspended.
- j. At an April 29, 2015 conference with the Minnesota Board, Respondent acknowledged that she violated the Participation Agreement and is now willing to participate in the HPSP.
- k. The Review Panel determined that a stay of suspension and monitoring of Respondent's license will provide safety to patients.

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, Janis R. Beyer, R.N., engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.03(1)(b), by having a license to practice nursing or a nurse licensure compact privilege denied, revoked, suspended, limited, or having the credential holder otherwise disciplined in another state, territory, or country.

3. As a result of the above conduct, Janis R. Beyer, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Janis R. Beyer, R.N., is REPRIMANDED.

3. The professional nursing license issued to Janis R. Beyer, R.N., (license number 193851-30) and her privilege to practice nursing in Wisconsin pursuant to the Nurse Licensure Compact, are limited as follows:

- a. Respondent shall comply with all conditions and limitations placed on her Minnesota License.
- b. Respondent shall notify the Department of any changes to her Minnesota Consent Order within ten (10) days of the change.
- c. Respondent shall submit quarterly self-reports to the Department regarding her progress with the Minnesota Consent Order.
- d. Respondent must supply to the Department Monitor any reports submitted to the Minnesota Board within 48 hours of submission to the Minnesota Board.
- e. Respondent must keep releases on file with the Department Monitor for all treaters including HPSP.
- f. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully complied with all terms and conditions of the Minnesota Consent Order and that her Minnesota license is no longer conditional or limited in any way.

4. Within 120 days from the date of this Order, Janis R. Beyer, R.N., shall pay COSTS of this matter in the amount of \$150.00.

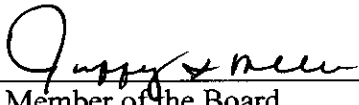
5. Any reports and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

6. 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 comply with the Minnesota Consent Order, fails to timely submit reports or fails to timely submit payment of the costs as ordered, Respondent's license (no. 193851-30) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs.

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

WISCONSIN BOARD OF NURSING

by:  J. M. Miller DNP, APRN
A Member of the Board

11-12-15
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JANIS R. BEYER, R.N.,
RESPONDENT.

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STIPULATION

0004363

Division of Legal Services and Compliance Case No. 15 NUR 441

Respondent Janis R. Beyer, 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.

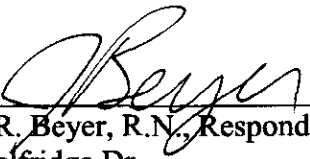
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not
be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



Janis R. Beyer, R.N., Respondent
619 Selfridge Dr.
Duluth, MN 55811
License no. 193851-30

10-19-2015

Date



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

10/22/15

Date