

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

KAREN L. BURR, R.N., A.P.N.P., C.N.M.,
RESPONDENT.

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FINAL DECISION AND ORDER

0004367

Division of Legal Services and Compliance Case No. 14 NUR 443

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

Karen L. Burr, R.N., A.P.N.P., C.N.M.
701 Terraview Drive
Green Bay, WI 54301

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 Karen L. Burr, R.N., A.P.N.P., (dob July 24, 1976) is licensed in the State of Wisconsin as a professional nurse, having license number 133078-30, first issued on August 12, 1999 and current through February 29, 2016. Respondent also holds an advanced practice nurse prescriber certificate number 2779-33, first issued on February 6, 2006 and current through September 30, 2016 and a license as a certified nurse-midwife (license number 148878-32), first issued on July 30, 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 701 Terraview Drive, Green Bay, Wisconsin 54301.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a medical clinic, located in Green Bay, Wisconsin.

3. On September 14, 2012, Patient A presented to Respondent for her annual examination. Patient A advised Respondent that she would like to lose some weight. Respondent determined that Patient A's body mass index (BMI) was 26.6. Patients with an initial BMI of 30 or more or with an initial BMI of 27 or greater with another weight related health condition are appropriate candidates for phentermine. Respondent prescribed phentermine 37.5 mg, one (1) tablet daily.

4. On October 12, 2012, Patient A presented to Respondent for a medical check on the phentermine prescription and indicated she would like to continue with the medication. Patient A reported that she had dry mouth as a side effect but denied any chest pain, palpitations, racing heart, insomnia or anxiety. On that date, Respondent determined that Patient A's BMI was 24.2. Respondent prescribed phentermine 37.5 mg, one (1) tablet daily.

5. On March 25, 2014, Patient B presented to Respondent for her annual examination. Patient B was receiving medroxyprogesterone to treat a menstruation disorder. The medication was to be administered approximately every three (3) months, the last administration being in January 2014. Respondent administered an injection of medroxyprogesterone to Patient B on that date, but failed to document the medication administration.

6. Respondent prescribed medications for herself on a number of occasions between 2010 and 2014. None were controlled substances.

7. 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 paragraphs 3, 4, 5 and 6, Respondent violated Wis. Admin. Code. § N 7.03(1)(b)¹, by an act or omission demonstrating a failure to maintain competency in practice and methods of nursing care.

3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1)(c) and (d)².

ORDER

1. The attached Stipulation is accepted.

¹ Refers to Wis. Admin. Code § N 7.03 as it existed before August 1, 2014.

² Wis. Stat. 2010-2011.

2. Respondent Karen L. Burr, R.N., A.P.N.P., C.N.M., is REPRIMANDED.

3. The professional nursing license (license number 133078-30), advanced practice nurse prescriber certificate (certificate number 2779-33) and certified nurse-midwife license (license number 148878-32) issued to Karen L. Burr, R.N., A.P.N.P., C.N.M., and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:

a. Within 90 days of the date of this Order, Respondent shall at her own expense, successfully complete five (5) hours of education on the topic of documentation and four (4) hours of education on the topic of ethics in nursing practice offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.

b. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.

c. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Pursuant to Nurse Licensure Compact regulations, Respondent's nursing practice is limited to Wisconsin during the pendency of this limitation. 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, Karen L. Burr, R.N., A.P.N.P., C.N.M., shall pay COSTS of this matter in the amount of \$1,350.00.

6. Request of approval of courses, proof of successful course completion 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:

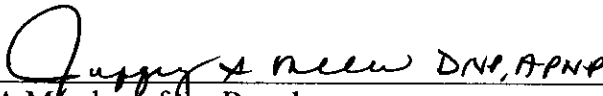
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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 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 the costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's professional nursing license (license number 133078-30), advanced practice nurse prescriber certificate (certificate number 2779-33) and certified nurse-midwife license (license number 148878-32) 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 and submitted proof of successful completion of the ordered education.

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

WISCONSIN BOARD OF NURSING

by:  J. A. Neen DNP, APNP
A Member of the Board

11-12-15
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KAREN L. BURR, R.N., A.P.N.P., C.N.M.,
RESPONDENT.

STIPULATION

0004367

Division of Legal Services and Compliance Case No. 14 NUR 443

Respondent Karen L. Burr, R.N., A.P.N.P., C.N.M., 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 Mary C. Flanner.
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.

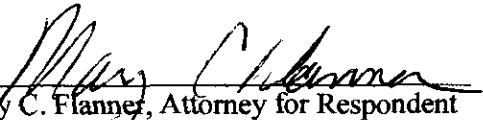
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Karen L. Burr, R.N., A.P.N.P., C.N.M., Respondent
701 Terraview Drive
Green Bay, WI 54301
License nos. 133078-30, 2779-33, 148878-32

9-30-15

Date



Mary C. Flanner, Attorney for Respondent
Cross Law Firm, S.C.
Lawyer's Building
845 North 11th Street
Milwaukee, WI 53233

10-14-15

Date



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

10/20/15

Date