

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MARY E. AKINS, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0004708**

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Division of Legal Services and Compliance Case No. 15 NUR 624

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

Mary E. Akins, R.N.  
P.O. Box 8094  
Janesville, WI 53547-8094

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 Mary E. Akins, R.N., (dob February 10, 1992) is licensed in the State of Wisconsin as a professional nurse, having license number 224002-30, first issued on July 1, 2015 and current through February 29, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is Post Office Box 8094, Janesville, Wisconsin 53547-8094.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a hospital (Hospital), located in Davenport, Iowa.

3. On November 18, 2015, the Iowa Board of Nursing imposed discipline against Respondent's State of Iowa nursing license based on the following facts:

- a. On more than one occasion, Respondent was found to have improperly wasted controlled substances by asking coworkers to sign as witnesses for wastes they did not observe.
- b. On March 21, 2014, Respondent submitted to a urine specimen which tested positive for a trace amount of cannabinoids (marijuana).

4. Respondent's Iowa nursing license was placed on probation for twelve (12) months and included the following limitations:

- a. Notify the Board within (5) days of a change of address, phone number or employer;
- b. Complete thirty (30) hours of preapproved continuing education within sixty (60) days of the Order on the topic medication administration;
- c. Obtain preapproval of work site;
- d. Provide a copy of the Order to nursing employers;
- e. Submit monthly work reports;
- f. Prohibited from using alcohol or illicit drugs;
- g. Report all personal use of prescription medication;
- h. Submit to drug testing; and
- i. Submit to medical, mental health and/or substance abuse evaluation within thirty (30) days from the date of notification.

5. Respondent's employment at the Hospital was terminated and she is currently employed as a nurse in Wisconsin.

6. 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, Mary E. Akins, R.N., engaged in unprofessional conduct as defined by Wis. Admin. Code § N 7.03(1)(b), by having a license to practice nursing or a nurse licensure compact privilege to practice 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, Mary E. Akins, 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 Mary E. Akins, R.N., is REPRIMANDED.
3. The professional nursing license issued to Mary E. Akins, R.N., (license number 224002-30) and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are LIMITED as follows:
  - a. Respondent shall comply with all conditions and limitations placed on her Iowa nursing license.
  - b. Respondent shall submit work reports, required by the Iowa Order, to the Department Monitor at the address below within fifteen (15) days of it being provided to the Iowa Board of Nursing.
  - c. Respondent shall notify the Department of any changes to her Iowa Order within ten (10) days of the change.
  - d. Respondent shall submit the results of any drug test pursuant to the Iowa Order to the Department Monitor within ten (10) days of it being provided to the Iowa Board of Nursing.
  - e. This limitation shall be removed upon satisfying the Board or its designee that Respondent has successfully complied with all terms and conditions of the Iowa Order and that her Iowa nursing license is no longer conditional or limited in any way.
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, Mary E. Akins, R.N., shall pay COSTS of this matter in the amount of \$200.00.
6. Any requests, reports, or documents 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

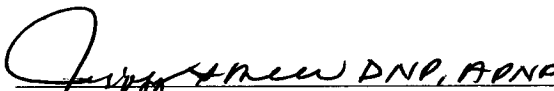
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

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 comply with the conditions and limitations of the Iowa Order, fails to timely submit work reports, fails to timely notify the Department of any changes to the Iowa Order, fails to submit results of any drug tests, or fails to timely submit payment of the costs as ordered, Respondent's license (no. 224002-30) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the conditions and limitations of the Iowa Order, submitted work reports, notified the Department of any changes to the Iowa Order, submitted results of any drug tests and has complied with payment of costs.

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

WISCONSIN BOARD OF NURSING

by:

  
A Member of the Board

5.12.16  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MARY R. AKINS, R.N.,  
RESPONDENT.

STIPULATION

0004708

Division of Legal Services and Compliance Case No. 15 NUR 624

Respondent Mary E. Akins, 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.

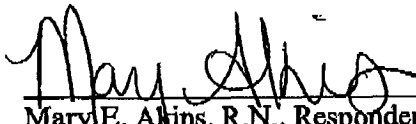
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not  
be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

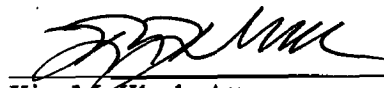
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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.

  
Mary E. Atkins, R.N., Respondent  
P.O. Box 8094  
Janesville, WI 53547-8094  
License no. 224002-30

3/22/16  
Date

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

4/18/16  
Date