

## 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

ANGELA J. DIXON, R.N.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0004909**

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Division of Legal Services and Compliance Case No. 15 NUR 456

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

Angela J. Dixon, R.N.  
220 Moen St.  
Cornell, WI 54732-8023

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 Angela J. Dixon, R.N., (dob August 29, 1979) is licensed in the State of Wisconsin as a professional nurse, having license number 191960-30, first issued on August 1, 2012 and current through February 28, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 220 Moen Street, Cornell, Wisconsin 54732-8023.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a nursing home (Home), located in Ladysmith, Wisconsin.

3. On August 13, 2015, the Home's management contacted the Rusk County sheriff's office regarding a possible theft of narcotic medication by an unknown professional nurse. The Rusk County sheriff's office notified the local police department.

4. Upon the Home's request, the City of Ladysmith police department set up video surveillance in the locked medication room.

5. Respondent worked the overnight shift from 10:15 p.m. on August 17, 2015 to 6:15 a.m. on August 18, 2015.

6. During this time, Respondent entered the medication room six (6) to seven (7) times when she should have only had to enter the medication room three (3) times during her shift.

7. On August 18, 2015, Respondent, during an interview with a City of Ladysmith police officer, admitted to diverting and ingesting twelve (12) oxycodone tablets during her August 17<sup>th</sup> shift.

8. Respondent further admitted to replacing the oxycodone with an anti-nausea or water pill. Respondent admitted to diverting, ingesting and replacing oxycodone, tramadol and Vicodin® with melatonin and Tylenol® two (2) to three (3) times per week for two (2) to three (3) months while at work.

9. City of Ladysmith police officers searched Respondent's purse and vehicle and discovered the following:

- a. Six (6) tramadol tablets (in purse);
- b. One (1) empty Tylenol® bottle;
- c. One (1) melatonin tablet; and
- d. One (1) broken tab for a resident's pill container.

10. Respondent does not have a prescription for oxycodone, tramadol or Vicodin®.

11. The DON informed City of Ladysmith police officers that residents did not receive their prescribed medication and had been administered substances for which they had not been prescribed.

12. On April 25, 2016, Respondent, in Rusk County circuit court case number 2015CF181, pled no contest and was convicted of one (1) count of possessing/illegally obtaining prescription medication, in violation of Wis. Stat. § 450.11(7)(h), a misdemeanor, and one (1) count of recklessly abusing patients-bodily harm, in violation of Wis. Stat. § 940.295(3)(a)2., a misdemeanor.

13. 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. Pursuant to Wis. Stat. § 961.16(2)(a)11., oxycodone is a schedule II controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(2).

3. Pursuant to Wis. Stat. § 961.20(4)(e), tramadol is a schedule IV controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(3).

4. Vicodin® contains hydrocodone. Pursuant to Wis. Stat. § 961.16(2)(a)7., hydrocodone is a Schedule II controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(2).

5. By the conduct described in the Findings of Fact, Angela J. Dixon, R.N., engaged in unprofessional conduct as defined by Wis. Admin. Code § N 7.03(8)(e), by obtaining, possessing or attempting to obtain or possess a drug without lawful authority.

6. As a result of the above conduct, Angela J. Dixon, R.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

## ORDER

1. The attached Stipulation is accepted.

2. The license of Angela J. Dixon, R.N., (license number 191960-30) to practice nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, are **SUSPENDED** indefinitely from the date of this Order.

3. Respondent may petition for a stay of suspension upon providing proof to the Board or its designee that she has obtained an AODA assessment by a pre-approved provider as follows:

- a. Respondent shall be responsible for all costs associated with obtaining an AODA assessment.
- b. Prior to the assessment, Respondent shall provide a copy of this Final Decision and Order to the treater.
- c. Respondent shall provide and keep on file with the treater current releases complying with state and federal laws. The releases shall allow the Board, its designee, and any employee of the Department to obtain a copy of the assessment. Copies of these releases shall immediately be filed with the Department Monitor.

- d. Respondent shall comply with the treater's recommendations.
- e. If the Board grants a stay of suspension, Respondent's license may be limited in a manner to address any concerns the Board or its designee may have regarding any recommendations resulting from the assessment.

6. The professional nursing license issued to Angela J. Dixon, R.N., (license number 191960-30) 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 from the date of this Order:
  - i. Respondent shall enroll and participate in a drug monitoring program which is approved by the Department (Approved Program).
  - ii. At the time Respondent enrolls in the Approved Program, Respondent shall review all of the rules and procedures made available by the Approved Program. Failure to comply with all requirements for participation in drug monitoring established by the Approved Program is a substantial violation of this Order. The requirements shall include:
    - 1. Contact with the Approved Program as directed on a daily basis, including vacations, weekends and holidays.
    - 2. Production of a urine, blood, sweat, fingernail, hair, saliva or other specimen at a collection site designated by the Approved Program within five (5) hours of notification of a test.
    - 3. The Approved Program shall require the testing of specimens at a frequency of not less than forty-nine (49) times per year, for the first year of this Order.
  - iii. Respondent shall abstain from all personal use of controlled substances as defined in Wis. Stat. § 961.01(4), except when prescribed, dispensed or administered by a practitioner for a legitimate medical condition. Respondent shall disclose Respondent's drug and alcohol history and the existence and nature of this Order to the practitioner prior to the practitioner ordering the controlled substance. Respondent shall at the time the controlled substance is ordered immediately sign a release in compliance with state and federal laws authorizing the practitioner to discuss Respondent's treatment with, and provide copies of treatment records to, the Board or its designee. Copies of these releases shall immediately be filed with the Department Monitor.

- iv. Respondent shall report to the Department Monitor all prescription medications and drugs taken by Respondent. Reports must be received within 24 hours of ingestion or administration of the medication or drug, and shall identify the person or persons who prescribed, dispensed, administered or ordered said medications or drugs. Each time the prescription is filled or refilled, Respondent shall immediately arrange for the prescriber or pharmacy to fax and mail copies of all prescriptions to the Department Monitor.
- v. Respondent shall provide the Department Monitor with a list of over-the-counter medications and drugs that they may take from time to time. Over-the-counter medications and drugs that mask the consumption of controlled substances, create false positive screening results, or interfere with Respondent's treatment and rehabilitation, shall not be taken unless ordered by a physician, in which case the drug must be reported as described in the paragraph 3(a)iv.
- vi. All positive test results are presumed valid and may result in automatic suspension of licensure by the Board or the Board's designee. Respondent must prove by a preponderance of the evidence an error in collection, testing, fault in the chain of custody or other valid defense.
- vii. If any urine, blood, sweat, fingernail, hair, saliva or other specimen is positive or suspected positive for any controlled substances, Respondent shall promptly submit to additional tests or examinations as the Board or its designee shall determine to be appropriate to clarify or confirm the positive or suspected positive test results.
- viii. Respondent shall practice only in a work setting pre-approved by the Board or its designee.
- ix. Respondent shall provide her nursing employer with a copy of this Order before engaging in any nursing employment. Respondent shall provide the Department Monitor with written acknowledgment from each nursing employer that a copy of this Order has been received. Such acknowledgment shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.
- x. Respondent shall not work as a nurse or other health care provider in a setting in which Respondent has access to controlled substances.

7. Pursuant to Uniform 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.

8. 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 substantial violation includes, but is not limited to, a positive drug screen. A repeated violation is defined as the multiple violations of the same provision or violation of more than one provision.

9. The Board or its designee may terminate the suspension if provided with sufficient information that Respondent is in compliance with the Order and that it is appropriate for the suspension to be terminated. Whether to terminate the suspension shall be wholly in the discretion of the Board or its designee.

10. After two (2) years from the date of this Order, Respondent may petition the Board for the modification or termination of any other limitations contained in this Order. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit. After the first year, Respondent may petition the Board on an annual basis for a modification of the frequency of tests. The Board may adjust the frequency of testing on its own initiative at any time.

11. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$450.00.

12. Any requests, 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](mailto:DSPSMonitoring@wisconsin.gov)

13. 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 enroll and participate in an approved drug and alcohol monitoring program, fails to comply with the drug and alcohol monitoring program, fails to get pre-approval of any work setting, fails to show a copy of this order to any nursing employer, works in a setting where she has access to controlled substances, or fails to timely submit payment of the costs as ordered, Respondent's license (no. 191960-30) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent

has enrolled and participated in an approved drug and alcohol monitoring program, has complied with the drug and alcohol monitoring program, obtains approval of work settings, shows a copy of the order to her employers and has complied with payment of costs.

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

WISCONSIN BOARD OF NURSING

by: Jenny Green DNP, APRN  
A Member of the Board

9.8.16  
Date



STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ANGELA J. DIXON, R.N.,  
RESPONDENT.

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STIPULATION

**0004909**

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Division of Legal Services and Compliance Case No. 15 NUR 456

Respondent Angela J. Dixon, 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

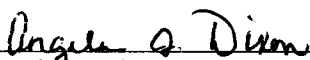
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

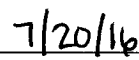
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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

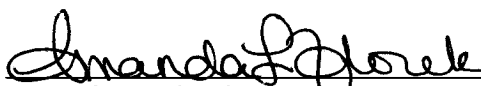
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

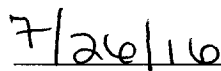
8. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order would constitute an agency finding within the meaning of Wis. Stat. §§ 48.685 and 50.065. Should Respondent wish to work in a Wisconsin DHS-licensed facility in any role, Respondent will need to pass a Rehabilitation Review through DHS prior to commencement of such employment.

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

  
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Angela J. Dixon, R.N., Respondent  
220 Moen St.  
Cornell, WI 54732-8023  
License no. 191960-30

  
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Date

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

  
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Date