

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF APPLICATION FOR
RENEWAL OF A REGISTERED NURSE
LICENSE

TAMMY G. MEYER,
APPLICANT.

ORDER GRANTING
LIMITED LICENSE

00000008

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

Tammy Meyer
3696 Baldwin Street
Portage, IN 46368

Wisconsin Board of Nursing
P.O. Box 8366
Madison, WI 53708-8366

FINDINGS OF FACT

1. Tammy G. Meyer (Applicant) filed an application for renewal of her Wisconsin Registered Nurse license (#218596-30). Such license, first issued to Applicant on July 29, 2014.
2. Applicant's most recent address on file with the Wisconsin Department of Safety and Professional Services is 3696 Baldwin Street, Portage, Indiana 46368.
3. Information received in the renewal application process reflects that Applicant has the following conviction:
 - a. On or about January 16, 2018 -- Reckless Driving, a misdemeanor conviction in Porter County, Indiana.
 - i. While driving, Applicant turned too soon and crashed her vehicle into a high curb. Upon arrival police noted Applicant displayed numerous signs of intoxication. Applicant denied drinking, though admitted drinking two (2) bottles of wine the night before. Applicant failed the standard field sobriety tests and blew a PBT of .10.
 - ii. Applicant's Alcohol and Other Drug Abuse (AODA) assessment diagnosis is "Alcohol Use Disorder - Severe" as of April 20, 2018. Applicant's treatment discharge summary recommends long-term monitoring, with random urine drug screens, nurse support meetings, and to continue treatment, among other recommendations.

CONCLUSIONS OF LAW

1. The Board 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. §§ 15.08(5)(c) and 227.44(5).
2. Applicant's Reckless Driving conviction and subsequent diagnosis of "Alcohol Use Disorder - Severe" demonstrate Applicant is unfit or incompetent by reason of alcohol or other drugs pursuant to Wis. Stat. §§ 441.07(1g)(b) and (c).
3. The Board has the authority to deny an application to renew a license to protect the public health, safety, or welfare pursuant to Wis. Stat. § 440.08(4).
4. Limitations upon Applicant's license are necessary to ensure that she is fit and competent to safely practice as a Registered Nurse.

ORDER

1. The attached Stipulation is accepted.
2. The Registered Nurse license issued to Applicant (#218596-30) to practice nursing in the state of Wisconsin, and her privilege to practice in Wisconsin pursuant to Enhanced Nurse Licensure Compact, is LIMITED as follows:
 - a. For a period of at least two (2) years from the date of this Order:
 - i. Applicant shall enroll and participate in a drug and alcohol monitoring program which is approved by the Department (Approved Program). Enrollment shall occur within thirty (30) calendar days from the date of this Order.
 - ii. At the time Applicant enrolls in the Approved Program, Applicant 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 twenty-eight (28) times per year, for at least the first year of this Order.

Thereafter, the Board may adjust the frequency of testing on its own initiative at any time.

- iii. Applicant shall abstain from all personal use of alcohol.
- iv. Applicant 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. Applicant shall disclose Applicant's drug and alcohol history and the existence and nature of this Order to the practitioner prior to the practitioner ordering the controlled substance. Applicant 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 Applicant'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.
- v. Applicant shall report to the Department Monitor all prescription medications and drugs taken by Applicant. Reports must be received within twenty-four (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, Applicant shall immediately arrange for the prescriber or pharmacy to fax and mail copies of all prescriptions to the Department Monitor.
- vi. Applicant shall provide the Department Monitor with a list of over-the-counter medications and drugs that Applicant 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 Applicant'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.
- vii. All positive test results are presumed valid and may result in automatic suspension of licensure by the Board or the Board's designee. Applicant must prove by a preponderance of the evidence an error in collection, testing, fault in the chain of custody or other valid defense.
- viii. If any urine, blood, sweat, fingernail, hair, saliva or other specimen is positive or suspected positive for any controlled substances, Applicant 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.

- ix. Applicant shall provide Applicant's nursing employer with a copy of this Order before engaging in, or continuing to engage in, any nursing employment. Applicant 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.

3. Applicant shall provide Applicant's nursing employer with a copy of this Order before engaging in, or continuing to engage in, any nursing employment. Applicant 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.

4. Applicant may work as a nurse or other health care provider in a setting in which Applicant has access to controlled substances.

5. Applicant shall practice only in a work setting pre-approved by the Board or its designee. Requests for preapproval must be accompanied by a current job description, name and contact information of the direct supervisor, and written acknowledgment from the employer that a copy of this Order has been received and that the restrictions will be accommodated.

6. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify the Department Monitor of any failures of the Treater, treatment facility, Approved Program or collection sites to conform to the terms and conditions of this Order. Applicant shall promptly notify the Department Monitor of any violations of any of the terms and conditions of this Order by Applicant.

7. Applicant shall report to the Board any change of employment status, residence, address or telephone number within five days of the date of the change. Additionally, every three (3) months, Applicant shall notify the Department Monitor of Applicant's compliance with the terms and conditions of the Order, and shall provide the Department Monitor with a current address and home telephone number.

8. Pursuant to Enhanced Nurse Licensure Compact regulations, Applicant's nursing practice is limited to Wisconsin during the pendency of this limitation.

9. The Board or its designee may, without hearing, suspend Applicant's nursing license upon receipt of information that Applicant is in violation of any provision of this Order.

The Board or its designee may, in conjunction with the suspension, prohibit Applicant from seeking termination of the suspension for a specified period of time.

10. The Board or its designee may terminate the suspension if provided with sufficient information that Applicant 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.

11. The Board may refer any violation of this Order to the Division of Legal Services and Compliance for investigation and action.

12. Applicant may petition the Board on an annual basis for a modification of the terms of this Order, but no petition for modification shall be considered sooner than one (1) year from the date of this Order. After two (2) consecutive years of successful compliance, including at least 600 hours of active nursing practice each year, Applicant may petition the Board for return of full licensure. The Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.

13. Applicant shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision, and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

14. Any requests, petitions, reports and other information required by this Order shall be mailed, emailed, faxed or delivered to:

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

You may also submit this information online via DSPS' Monitoring Case Management System, here:

<https://app.wi.gov/DSPSMonitoring>

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

WISCONSIN BOARD OF NURSING

by:

Sheryl Kinner
A Member of the Board

Date

1/3/19

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF APPLICATION FOR
RENEWAL OF A REGISTERED NURSE
LICENSE

TAMMY G. MEYER,
APPLICANT.

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STIPULATION

0006009

It is stipulated between the Applicant and the Wisconsin Board of Nursing as follows:

1. The Applicant has filed an application for a renewal of a Registered Nurse license.
2. Information received by the Board reflects a basis for denial of the renewal of the licensure.
3. Based upon the information of record herein, the Board agrees to issue, and the Applicant agrees to accept, an Order granting a renewal of license as a Registered Nurse, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
 - the right to request a hearing related to the denial of the application;
 - the right to confront and cross-examine the witnesses against Applicant;
 - the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
 - the right to testify on Applicant'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 the Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
5. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.
6. Applicant agrees to the adoption of the attached Order Granting Limited License by the Board. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, appearance, or consent of the parties.

7. Applicant waives all rights to any appeal of the Board's Order, as adopted in the form as attached.

8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.

9. Applicant is informed that the Order Granting Limited License is an encumbrance as defined by the Enhanced Nurse Licensure Compact (ENLC) and the Applicant's multi-state license and/or privilege, if any, will be subject to all terms and conditions of the ENLC.

Tammy G. Meyer, RN
Tammy G. Meyer, Applicant
3696 Baldwin Street
Portage, IN 46368

12/26/18
Date

Sheryl Kransky
A Member of the Board of Nursing
Department of Safety and Professional Services
P.O. Box 8366
Madison, WI 53707-7190

1/3/19
Date