

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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1. DAWN REAGOR (Applicant) filed an application (#659225) to reinstate her license to practice as a Registered Nurse in Wisconsin.
2. Applicant's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 107 Tapio Street, Baraga, Michigan 49908.
3. Applicant obtained a license to practice as a Registered Nurse in Michigan on or about April 13, 2000.
4. Information received in the reinstatement application process reflects that Applicant has the following convictions:
 - a. On or about August 30, 2011 – Obtain A Prescription Drug by Fraud, a misdemeanor conviction.
 - b. On or about August 30, 2011 – Obtain A Prescription Drug by Fraud, a misdemeanor conviction.
 1. Applicant called in prescriptions for hydrocodone to a pharmacy stating she was Dr. S's nurse. Respondent was not Dr. S's nurse.
 2. The police officer verified with Dr. S that he did not authorize the prescriptions.
 3. Applicant went to the pharmacy to pick up the prescription for hydrocodone and was arrested.

4. During the police interview, Applicant originally lied to the police officer stating the prescription was for her father.
5. Respondent later admitted to falsifying prescriptions and obtaining the medication for her personal use. Respondent states she was currently using hydrocodone.

5. Information on file with the Department demonstrates Applicant has the following history of encumbrances, adverse action, and discipline against her Wisconsin and Michigan nursing licenses:

- a. On November 14, 2013, The Board issued an Order #2753), revoking Applicant's Wisconsin Registered Nurse license for violating a law substantially related to the practice of professional nursing, obtaining any drug other than in the course of legitimate practice, and impersonating another licensee. A copy of Order #2753 is attached and incorporated by reference.
- b. Subsequently on October 19, 2014, Applicant's Michigan RN license was summarily suspended.
- c. On or about March 5, 2015, the summary suspension against Applicant's Michigan license was dissolved by consent order.
- d. The March 5, 2015, consent order included a suspension of Applicant's Michigan license from April 4, 2015, through August 21, 2015. Applicant's Michigan license was then placed on probation for a period of two (2) years.
- e. Applicant's Michigan license expired on March 31, 2017.

6. Applicant has not provided evidence of employment requiring a nursing license within the last five (5) years or completion of a Board-approved nursing refresher course.

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 convictions for Obtaining A Prescription Drug by Fraud constitutes unprofessional conduct and violations of a law substantially related to the practice of professional nursing. Wis. Stat. §§ 441.07(1g)(b) and (d), and Wis. Admin. Code § N 7.03(2).

3. Applicant has engaged in unprofessional conduct 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. Wis. Stat. §§ 441.07(1g)(b) and (d), and Wis. Admin. Code § N 7.03(1)(b).

4. Reinstatement of licensure requires documentation of employment requiring a nursing license within the last five (5) years or completion of a Board-approved nursing refresher course. Wis. Stat. 440.08(3)(b), Wis. Admin. Code §§ SPS 4.11 and N 2.41(1).

5. 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).

6. 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. Applicant's limited license to practice as a Registered Nurse in the state of Wisconsin is for the SOLE PURPOSE of enabling Applicant to complete a Board-approved nursing refresher course.

- a. The Applicant is NOT permitted to use the limited license granted under this paragraph to engage in any employment as a nurse in Wisconsin or pursuant to the Enhanced Nurse Licensure Compact. The limited license does NOT authorize Applicant to engage in any other nursing employment.
- b. The limited license shall be valid for one (1) year from the date of issuance.
- c. Within one (1) year from the date of issuance, the Applicant shall submit evidence satisfactory to the Board of successful completion of the Board-approved nursing refresher course.

3. Upon receipt of proof of successful completion of the nursing refresher course, the limitation of 2. shall be removed.

4. Limitations upon Applicant's license are necessary to ensure that she is fit and competent to practice as a Registered Nurse. Upon successful compliance with part 2. Above, Applicant will be granted a Registered Nurse license to practice nursing in the state of Wisconsin subject to the following limitations, terms and conditions:

- 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 Board or its designee (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 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.
- iv. 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.
- v. 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.

- vi. 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.
- vii. 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.
- viii. 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.

5. Applicant may NOT work as a nurse or other health care provider in a setting in which Applicant has access to controlled substances.

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

7. 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.

8. 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.

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

10. After the first year from the date of this Order, Applicant may petition the Board on an annual basis for a modification of the terms of this Order. After two (2) consecutive years of successful compliance, 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.

11. 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>

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

WISCONSIN BOARD OF NURSING

by:


A Member of the Board 

3/8/19
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

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

DAWN REAGOR,
APPLICANT.

STIPULATION

0006095

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

1. The Applicant has filed an application to reinstate a Registered Nurse license.
2. Information received by the Board reflects a basis for denial of the reinstatement 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 reinstatement of a limited Registered Nurse license, 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.

Dawn H Reagor, MSN, APRN, CDE
Dawn Reagor, Applicant
107 Tapio Street
Baraga, MI 49908

2/22/2019
Date

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

3/8/2019
Date