

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 :
 : FINAL DECISION AND ORDER
KATHLEEN A. REED, R.N., :
RESPONDENT. : **ORDER 0006653**

Division of Legal Services and Compliance Case No. 18 NUR 013

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

Kathleen A. Reed, R.N.
Madison, Wisconsin

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 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 Kathleen A. Reed, R.N., (DOB XX-XX-1965) is licensed in the state of Wisconsin as a registered nurse, having license number 118909-30, first issued on February 22, 1995, and current through February 29, 2020.

2. At all times relevant to this proceeding, Respondent has been taking care of a family member and has not been employed as a nurse.

3. Respondent was previously issued an administrative warning by the Board in DLSC Case No. 10 NUR 014 for failing to report multiple convictions, including four (4) Operating While Intoxicated (OWI) convictions.

4. On May 31, 2015, Respondent was arrested for her fifth OWI. Respondent submitted to a preliminary breath test that showed a blood alcohol content of 0.251. Among the terms of her release bond was not to consume alcohol or commit any new crimes.

5. On July 1, 2015, Respondent was arrested after causing a disturbance while intoxicated at her mother's home. Respondent failed to comply with the terms of her bond and was charged with two (2) counts of felony Bail Jumping and one (1) count of misdemeanor Disorderly Conduct, Domestic Abuse.

6. On April 29, 2016, Respondent was convicted in Dane County Circuit Court of one (1) count of OWI (5th), a class H felony, in violation of Wis. Stat. § 346.63(1)(a). She was sentenced to an alcohol assessment, probation for four (4) years, ignition interlock for three (3) years, and the revocation of her driver's license for three (3) years. She was ordered not to use or possess alcohol, reside in any home where alcohol is present, or go into any business whose primary business is selling alcohol, as conditions of her probation.

7. On the same day, April 29, 2016, Respondent was convicted in Dane County Circuit Court of one (1) count of Disorderly Conduct, a class B misdemeanor, in violation of Wis. Stat. § 947.01(1), with a modifier of Domestic Abuse, in violation of Wis. Stat. § 968.075(1)(a). The Bail Jumping charges were dismissed. Respondent was sentenced to one (1) year probation to run concurrently with the above.

8. Respondent failed to timely report these convictions to the Department.

9. Respondent has not worked as a nurse for six (6) years.

10. 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, Kathleen A. Reed, R.N., violated Wis. Admin Code N § 7.03(1)(h), by failing to notify the board of a felony or misdemeanor in writing within 48 hours after the entry of the judgment of conviction, including the date, place, and nature of the conviction or finding.

3. As a result of the above conduct, Kathleen A. Reed, 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 SURRENDER of the license and privilege of Kathleen A. Reed, R.N., (license number 118909-30) to practice nursing in the state of Wisconsin or under another state license pursuant to the Enhanced Nurse Licensure Compact is hereby accepted.

3. After a period of five (5) years, Respondent may petition for reinstatement.

4. In the event Respondent petitions the Board of Nursing for reinstatement as a nurse in the future, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.

5. In the event Respondent petitions the Board of Nursing for reinstatement of her license to practice registered nursing in the state of Wisconsin or applies for another credential with the Department, Respondent shall pay the costs of this matter in the amount of \$1,300.00 before any application is considered.

6. If applicable, 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


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

www.dspsmonitoring.wi.gov

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

WISCONSIN BOARD OF NURSING

By:



A Member of the Board

2/13/20

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KATHLEEN A. REED, R.N.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0006653

Division of Legal Services and Compliance Case No. 18 NUR 013

Respondent Kathleen A. Reed, 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.

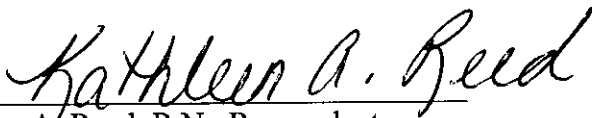
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event 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.

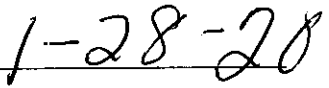
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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

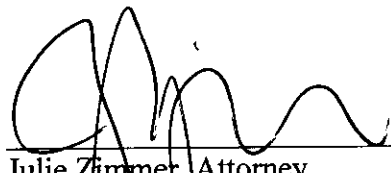
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



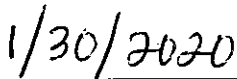
Kathleen A. Reed, R.N., Respondent
License No. 118909-30



Date



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



Date