

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

CHRISTINE BITTNER, R.N.,
APPLICANT.

ORDER GRANTING
LIMITED LICENSE

ORDER 0006881

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

Christine Bittner, R.N.
Milwaukee WI 53202

Wisconsin Board of Nursing
Department of Safety and Professional Services
4822 Madison Yards Way
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the resolution of this renewal application. The Wisconsin Board of Nursing (Board) adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Christine Bittner (Applicant) filed an application to renew her Wisconsin Registered Nurse license (license number 87895-30).

2. Applicant resides in Wisconsin.

3. Information received in the application process reflects that Applicant has the following violation and conviction:

a. On or about June 18, 2018 – Operating While Intoxicated-1st, an ordinance violation.

i. Applicant was out with friends and drank alcohol. She made the poor decision to drive, collided with a legally parked vehicle, and proceeded to flee the scene without reporting the accident. Applicant was pulled over for reckless driving. She failed the Standard Field Sobriety Test (SFST) and blew a Preliminary Breath Test (PBT) of .135. Applicant

paid a fine and her driver's license was suspended. She completed an Alcohol and Other Drug Abuse assessment (AODA) and a group dynamics course.

- b. On or about May 16, 2019 – Operating While Intoxicated-2nd, a misdemeanor conviction.
 - i. Applicant states she was driving a rental car and the headlights went out. She tried to figure out how to turn them back on and swerved.
 - ii. The police report states 911 was alerted to a car driving with its hazard lights on, weaving, and unable to maintain speed. Police observed the car weaving significantly and pulled her over. She seemed confused in speaking with police.
 - iii. Applicant told police she was on her way to work as a nursing supervisor.
 - iv. Police detected a slight odor of intoxicants, slurred speech, and confusion. Applicant denied drinking or taking any medications or drugs. She failed the SFST and eventually admitted taking prescribed meds (MS Contin, Clorazepate) in addition to drinking two alcoholic drinks.
 - v. A blood test found Applicant's BAC was .055, morphine was <10 ng/mL, Nordiazepam 690 ng/mL, and Oxazepam 16 ng/mL.
 - vi. Applicant was fined and served 30 days jail. Applicant's driver's license was revoked for 14 months and she was ordered to use an Ignition Interlock Device (IID) for 14 months. She completed an AODA assessment. Applicant's Driver Safety Plan Report noted irresponsible use – borderline.
 - vii. Applicant did not report this conviction to the Board within 48 hours of the entry of Judgment of Conviction.

4. In resolution of this matter, Applicant consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07 and is authorized to enter the attached Stipulation pursuant to Wis. Stat. §§ 15.08(5)(c) and 227.44(5).

2. Pursuant to Wis. Stat. § 441.07(1g)(c), the Board may deny or limit a license if Applicant committed acts which show the Registered Nurse, to be unfit or incompetent by reason of negligence, abuse of alcohol or other drugs, or mental incompetency.

3. Pursuant to Wis. Stat. §§ 441.07(1g)(b) and (d), the Board may deny or limit a license if Applicant violates any rule or statute or engages in unprofessional conduct.

4. Grounds for denying a license include being unable to practice professional nursing safely by reason of alcohol or other drugs pursuant to Wis. Admin. Code § N 7.03(6)(f).

5. Grounds for denying a license also include failure to notify the Board of a felony or misdemeanor in writing within 48 hours after the entry of the judgment of conviction pursuant to Wis. Stat. §§ 440.03(13)(am), 441.07(1g)(b) & (d), and Wis. Admin. Code § SPS 4.09(2) and N 7.03(1)(h).

6. Pursuant to Wis. Stat. § 440.08(4), the Board may deny the Applicant's application for renewal of her Registered Nurse license to protect the public health, safety, or welfare.

ORDER

1. The attached Stipulation is accepted.

2. Applicant's ability to practice as a Registered Nurse in the state of Wisconsin, and her privilege to practice pursuant to the Enhanced Nurse Licensure Compact (Compact), is LIMITED as follows:

a. For a period of at least one (1) years from the date of this Order:

- i. Applicant shall show a copy of this Order to her current and any future employer. Applicant shall provide the Department of Safety and Professional Services Monitor (Department Monitor) with written acknowledgement from each employer that a copy of this Order has been received. Such acknowledgement 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.
- ii. It is Applicant's responsibility to arrange for her supervisor(s) to provide work reports to the Department Monitor on a quarterly basis, beginning 90 days from the date of this Order. These reports shall describe the Applicant's activities and verify that she is in compliance with the laws governing the practice of a Registered Nurse and the terms of this Order.

- iii. Applicant shall report to the Board any change of employment status, residence, address, or telephone number within five (5) days of the date of a change.
- iv. Applicant shall commit no new violations of law and shall report all law enforcement contacts leading to arrest, charge or conviction, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within 48 hours of any such event, including any convictions resulting from pending charges.
- v. Applicant is responsible for compliance with all the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order by Applicant.

3. After one (1) year of successful compliance, including at least six hundred (600) hours of approved nursing practice, the Applicant may petition the Board for return of full licensure. "Successful compliance" includes the submission of work reports, the content of which are satisfactory to the Board. The Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stat. §§ 227.01(3), or 227.42, or Wis. Admin. Code ch. SPS 1, and shall not be subject to any right to further hearing or appeal.

4. Pursuant to the Compact, Applicant may not practice in a Compact State, other than Wisconsin, while her license is encumbered by any limitation or restriction imposed by this order.

5. Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, 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://dpsmonitoring.wi.gov>

6. In the event Applicant violates any term of this Order, Applicant's license, or Applicant's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing. 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. The Board may, in addition and/or

in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

7. 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.

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

WISCONSIN BOARD OF NURSING

By: Peter Kallio
A Member of the Board

07/07/2020
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

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

CHRISTINE BITTNER, R.N.,
APPLICANT.

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STIPULATION

ORDER 0006881

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

1. Applicant filed an application to renew a Registered Nurse license.
2. Information received by the Board has raised concerns about Applicant's conviction history and related use of alcohol and prescribed medications.
3. Based upon the information of record, the Board agrees to issue, and Applicant agrees to accept, an Order granting a renewal of the 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 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 (Compact) and Applicant's multi-state license and/or privilege, if any, will be subject to all terms and conditions of the Compact.

Christine Bittner

Christine Bittner, R.N.
Milwaukee WI 53202
License no. 87895-30

6/27/2020
Date

Peter Kallio

A Member of the Board of Nursing
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

07/07/2020
Date