

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

HEIDI E. PETERSEN, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0007123

Division of Legal Services and Compliance Case No. 18 NUR 606

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

Heidi E. Petersen, R.N.
Rothschild, WI 54474

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 Heidi E. Petersen, R.N., (DOB: XX/XX/1972) is licensed in the state of Wisconsin as a registered nurse, having license number 160510-30, first issued on September 12, 2007 and current through February 28, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Rothschild, Wisconsin 54474.

2. At all times relevant to this proceeding, Respondent was employed as a registered nurse at a correctional facility (Facility), located in Irma, Wisconsin.

3. Staff at the Facility expressed concerns about Respondent frequently going to her vehicle to take medication. Staff reported that Respondent would bring a prescription bottle into the facility and store it in an unsecured locker, which was a violation of Facility policy.

4. On October 3, 2018, when Respondent arrived at work, a supervisor at the Facility confronted Respondent. Respondent acknowledged that she had an old prescription for alprazolam but denied bringing it into the Facility. Respondent stated she left the prescription in her vehicle and would go out to get it when needed.

5. A search was conducted of her unsecured locker and an old prescription bottle was found with an illegible label in her personal bag. The bottle contained 35 $\frac{3}{4}$ tablets, which Respondent confirmed were alprazolam 0.25 mg.

6. Respondent was uncertain how old the prescription was. Respondent admitted that she should not have brought the controlled substance into the Facility.

7. On October 31, 2018, Respondent was terminated from the Facility for "failure to meet probationary standards."

8. A review of Respondent's medical records and prescription history showed that Respondent did not have a valid prescription for alprazolam in October 2018.

9. 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, Respondent violated Wis. Admin. Code § N 7.03(6)(f), for inability to practice safely by reason of alcohol or other substance use.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § N 7.03(8)(e), by obtaining, possessing, or attempting to obtain or possess a drug without lawful authority.

5. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b), (c), and (d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. Within sixty (60) days from the date of this Order, Respondent shall, at her own expense, undergo an AODA assessment with an evaluator pre-approved by the Board or its designee who has experience conducting these assessments.

4. Prior to the assessment, Respondent shall provide a copy of this Order to the evaluator. Respondent shall provide the Department Monitor with written acknowledgment from the evaluator that a copy of this Order has been received by the evaluator. Such acknowledgment shall be provided to the Department Monitor prior to the assessment, using the contact information in paragraph 10 below.

5. Respondent shall provide and keep on file with the evaluator 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, using the contact information in paragraph 10 below.

6. Respondent shall identify and provide the evaluator with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated.

7. The Board, or its designee, may impose additional limitations upon Respondent's license based on the results of the assessment and/or the evaluator's recommendations.

8. Respondent shall comply with the evaluator's recommendations.

9. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,184.00.

10. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent 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

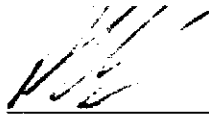
Respondent may also submit this information online via DSPS' Monitoring Case Management System, here: <https://dpsmonitoring.wi.gov>

11. In the event Respondent violates any term of this Order, Respondent's license (160510-30), or Respondent's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. 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.

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

WISCONSIN BOARD OF NURSING

by:



A Member of the Board

12/10/2020

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

HEIDI E. PETERSEN, R.N.,
RESPONDENT.

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STIPULATION

ORDER 0007123

Division of Legal Services and Compliance Case No. 18 NUR 606

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


Heidi E. Petersen, R.N., Respondent
Rothschild, WI 54474
License No. 160510-30

11/16/20
Date


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

11/18/2020
Date