

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING
IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST:

KATHLEEN A. MORTON, LPN,
RESPONDENT

FINAL DECISION AND ORDER
LS0106013NUR

Division of Enforcement Case No. 00 NUR 187

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Kathleen A. Morton
46 Hollywood Drive
Madison WI 53713

Board of Nursing
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the 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

1. Kathleen A. Morton (D.O.B. 10/09/1944) is duly licensed as a practical nurse in the state of Wisconsin (license 27697). This license was granted on 12/06/1984.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 46 Hollywood Drive, Madison, WI 53713.
3. At all times relevant to this action, Respondent was working as a licensed practical nurse at Mendota Mental Health Institute, 301 Troy Drive, Madison, Wisconsin.
4. On or about February 26, 2000, Respondent verbally abused residents JL and CA. In addition the Department has received allegations that during this same night Respondent physically abused (slapped) resident CA.
5. Respondent is not currently engaged in the active practice of nursing.
6. Respondent contests the allegation in paragraph 4 above that she struck resident CA, but for the purpose of resolution of this matter consents to the issuance of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter, pursuant to sec. 441.07, Stats.
2. The Wisconsin Board of Nursing is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Stats.
3. The conduct described above constitutes a basis for discipline under sec. 441.07(1), Stats. and Wis. Admin. Code §N7.04 (4) and (15). Furthermore, the Findings of Fact set forth above in paragraphs above constitute an agency finding of abuse within the meaning of secs. 48.685 and 50.065, Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Wisconsin nursing license of Kathleen A. Morton (license #27697) is LIMITED as follows:

Practice restrictions

1. Until such time as Respondent successfully completes a rehabilitation review administered by the Wisconsin Department of Health and Family Services, Respondent shall REFRAIN from any nursing employment in any Wisconsin DHFS-licensed facility.
2. Until otherwise ordered by the Board:
 - a. Respondent shall practice only in settings where she works under supervision by another nurse or other licensed health care professional;
 - b. Respondent shall refrain from nursing employment as a pool nurse, a visiting nurse or other home care practitioner; and
 - c. Respondent shall refrain from employment as a charge nurse.
3. Prior to resumption of nursing practice, Respondent shall submit documentation of successful completion of at least twelve (12) hours of therapy, continuing education, or other training acceptable to the Board in the areas of anger and/or stress management. To be acceptable, the course, therapy, or training shall be approved by a member or designated agent of the Board of Nursing. Acceptable documentation shall include certification from the sponsoring organization as well as a statement signed by Respondent verifying her attendance and completion of course and/or therapy requirements. Respondent shall be responsible for all expenses incurred for therapy, education or training required by this Order
4. Following completion of the continuing education, therapy, or other training referred to above, Respondent shall submit an evaluation of the training to the Division of Enforcement to assist the Division in developing future disciplinary policies and guidelines.

Department Monitor

5. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including coordinating all requests for approval of education or other petitions. The Department Monitor may be reached as follows:

Department Monitor
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935
FAX (608) 266-2264

Petition For Modification or Termination of Limitations

6. Respondent may at any time petition the Board to revise or eliminate any of the above conditions. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. §§227.01(3) and 227.42.

SUMMARY SUSPENSION

7. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license pursuant to the procedures set forth in Wis. Admin. Code RL Ch. 6. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the

terms of this Order.

Effective date of Order

8. This Order shall become effective upon the date of its signing.

BOARD OF NURSING

By: Ann Brewer

6-1-01

On behalf of the Board

Date