

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

---

IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 :  
KATHLEEN A. SUTTON, R.N., : FINAL DECISION AND ORDER  
RESPONDENT. : LS05090813NUR

---

[Division of Enforcement Case # 02 NUR 282]

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

Kathleen A. Sutton, R.N.  
E9328 State Road 33  
Baraboo, WI 53913

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Board of Nursing  
Department of Regulation & Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 of Nursing. The Board has reviewed the attached 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. Sutton, R.N., (DOB 06/29/1956) is duly licensed as a Registered Nurse in the state of Wisconsin (license # 117326). This license was first granted on 07/27/1994.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is E9328 State Road 33, Baraboo, WI 53913.
3. At all times relevant to this action, Respondent was working as a Registered Nurse for the Sauk County Health Department in Baraboo, Wisconsin.
4. On May 21, 2002, Respondent failed to administer a Duragesic patch to patient B.D. The patient's family

changed the Duragesic patch themselves. There is no documentation in the medication record of when and which medications had been administered by Respondent on the May 21, 2002 home care visit to patient B.D.

5. On August 7, 2002 Respondent failed to make a home visit that was scheduled for patient H.W.'s wound care. Respondent was unable to get another nurse to cover, and did not contact the patient until several hours after the appointment. The patient declined to have the Respondent make the visit then. Respondent never contacted the office to try to obtain coverage of this visit.

### CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter, pursuant to Wis. Stats. §§441.07(1)(c) and (d), [\[smg1\]](#) and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraph(s) 4, and 5, above, constitutes a violation of Wisconsin Administrative Code § N 7.03(1)(b) and Wis. Stat. § 441.07(1)(d).

3. Respondent's conduct of failing to maintain adequate patient medical records constitutes a violation of Wisconsin Administrative Code § N 7.03(1)(b)

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of Kathleen A. Sutton, to practice nursing in the State of Wisconsin is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent shall, within 180 days from the date of this Order, pay COSTS of this proceeding in the amount of \$1,500.00 (One thousand five hundred) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 267-3817  
Fax (608) 266-2264

3. 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. 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. In the event Respondent fails to pay costs as ordered then Respondent's license(# 117326) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order. [\[smg2\]](#)

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

Board of Nursing

By: Jacqueline Johnsrud, RN  
A Member of the Board

September 8, 2005  
Date

---

[\[smg1\]](#)This should be deleted/ changed to a blank

[\[smg2\]](#)This section should be the standard summary suspension provision: **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. 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.** Where the terms of discipline consist of a forfeiture, costs or continuing education, alternative "self-effectuating" language should be utilized. E.g.: **In the event Respondent fails to timely submit any payment of the forfeiture as set forth above, the Respondent's license(#1550) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.**