

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE :
DISCIPLINARY PROCEEDING AGAINST :
 : FINAL DECISION AND ORDER
BETTY L. MIDSTOKKE, R.N. : LS0703016NUR
RESPONDENT. :

[Division of Enforcement Case # 04 NUR 356]

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

Betty L. Midstokke, R.N.
607 Dunn Street
Portage, WI 53901

Wisconsin Board of Nursing
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708

Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708

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. Betty L. Midstokke, R.N. ("Respondent") was born on September 10, 1948, and is licensed to practice professional nursing in the state of Wisconsin pursuant to license number 144356, first granted February 19, 2004.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 607 Dunn Street, Portage, Wisconsin 53901.
3. At all times relevant to this proceeding, Respondent was practicing nursing at Divine Savior Hospital, Portage, Wisconsin.
4. On August 3, 2004, Respondent was caring for a patient who had had surgery less than a day before.
5. During Respondent's shift, the patient's blood pressure dropped, and the patient's heart rate and temperature increased. Respondent did not document these changes, and did not report them to the patient's physician, nor did she note the patient's intake and output for the shift.

6. Respondent assigned a Certified Nursing Assistant to document the patient's condition, but she did not supervise the CNA to see that the delegated tasks were carried out.

CONCLUSIONS OF LAW

1. The Board of Nursing has jurisdiction in this matter pursuant to Wis. Stat. § 441.07, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent's failure to observe her patient's change in condition and report that change to the patient's physician constitutes a violation of Wis. Admin. Code § N7.03(1)(c).

3. Respondent's failure to observe and monitor the activities of the CNA to whom she delegated patient observation duties in accordance with Wis. Admin. Code § N 6.03(3)(c) constitutes a violation of Wis. Admin. Code § N 7.04(15).

ORDER

NOW, THEREFORE, IT IS ORDERED that

1. Betty L. Midstokke, R.N., be and hereby is REPRIMANDED.

IT IS FURTHER ORDERED that

2. The license previously issued to Betty L. Midstokke, R.N., is LIMITED by the condition that within 180 days of the date of this Order, she obtain **6 hours of continuing nursing education in the topic of delegation and supervision of performance of delegated tasks**, and **6 hours of continuing nursing education in the topic of nursing record documentation**. It shall be Respondent's obligation to find courses acceptable to the Board of Nursing, and to obtain approval of the courses from the Board of Nursing or its designee before she takes the courses. Respondent shall be responsible for all costs associated with complying with this Order.

3. Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, faxed or delivered to:

Department Monitor
Wisconsin Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264
Telephone: (608) 267-3817
department.monitor@drl.state.wi.us

4. Respondent shall pay the costs of this proceeding in the amount of \$655.00 to the Department of Regulation and Licensing within 180 days of the date of this Order. Payment shall be made to

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

5. 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 or fails to comply with the ordered continuing education the Respondent's license(#144356) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

Wisconsin Board of Nursing

Marilyn Kaufmann
A Member of the Board

3/1/07
Date