

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
PAMELA COLLINS PINK, R.N., : LS0705175NUR
RESPONDENT. :

[Division of Enforcement Case # 06 NUR 116]

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

Pamela Collins Pink, R.N.
4650 Juniper Street
LaCrosse, WI 54601

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

Wisconsin Board of Nursing
Department of Regulation and 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 this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Pamela Collins Pink, R.N., Respondent, date of birth April 25, 1948, is licensed by the Wisconsin Board of Nursing as a registered nurse in the state of Wisconsin pursuant to license number 132964, which was first granted August 11 1999.

2. Respondent's last address reported to the Department of Regulation and Licensing is 4650 Juniper Street LaCrosse, WI 54601.

3. Respondent was employed as a registered nurse at Hillview Health Care Center (Center) in LaCrosse, Wisconsin and worked as the PM Supervisor. It is the policy of the Center

for the charge nurse to complete a "Report of Fall" form after each fall by a resident. The resident is then placed on the fall tracking form and on the 72-hour temporary problem list for monitoring and appropriate follow-up.

4. At 4:10 a.m. on March 20, 2006, Resident A (DOB 12/18/30) slid out of her bed and was found by staff sitting in front of her bathroom door. Staff charted the incident and the required "Report of Fall" form was completed.

5. At approximately 9:30 p.m. on March 20, 2006, Resident A fell again and Respondent and a CNA found her sitting on the floor in front of her bathroom door. They assisted her to a standing position and got her back into bed. Resident A did not complain of any pain and showed no signs of discomfort.

6. Respondent contends that she assessed Resident A following the second fall. However, Respondent did not make any record of the fall or any assessment she may have done. Respondent told the CNA that she was not going to chart the incident or do any paperwork because Resident A was already on fall precautions from her earlier fall that day and because there did not appear to be any injury.

7. The CNA did not work on March 21, but upon her return on March 22, she reported Resident A's second fall on March 20 to the Director of Nursing (DON) and noted her concerns of Respondent's decision not to complete the required paperwork documenting the fall.

8. The DON met with Respondent to discuss Respondent's failure to document Resident A's second fall and Respondent admitted she had not documented Resident A's fall in the records. Respondent offered her resignation, which was accepted.

9. After the date of this incident, Respondent completed the following continuing education courses:

- a. "Legal Documentation," offered by DynamicNursingEducation.com, an approved provider of nursing continuing education (1 hour).
- b. "Code of Ethics for Nurses With Interpretive Statements – An Independent Study Module," sponsored by the American Nurses Association (1.8 hours).

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter pursuant to Wis. Stat. § 441.07 and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by engaging in the conduct set out above, has violated the minimum standards of the profession necessary for the protection of the health, safety, or welfare of a patient or the public, which is unprofessional conduct as defined by Wis. Adm. Code § N 7.04(intro.) and is subject to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Pamela Collins Pink, R.N., is hereby REPRIMANDED for the above conduct.
2. Respondent having completed the relevant continuing education set out in Finding of Fact 9, no further education is required.
3. Respondent shall, within 120 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$350.00 pursuant to Wis. Stat. § 440.22(2).
4. Requests for approval, notification of completion of educational programs and payment shall be faxed, mailed or delivered to:

Department Monitor
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

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 that Respondent fails to pay costs as ordered or fails to comply with the ordered continuing education, Respondent's license 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

By: Marilyn Kaufmann
A Member of the Board

5/17/07
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
PAMELA COLLINS PINK, R.N., : LS _____ NUR
RESPONDENT. :

[Division of Enforcement Case # 06 NUR 116]

It is hereby stipulated and agreed, by and between Pamela Collins Pink, R.N., Respondent; and John R. Zwieg, attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (file 06 NUR 116). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Respondent understands that by signing this Stipulation, she voluntarily and knowingly waives her rights including: the right to a hearing on the allegations against her, 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 her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; 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 her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.

3. Respondent has been provided an opportunity to obtain advice of legal counsel prior to signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the 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 be returned to the Division of Enforcement for further proceedings. In the event that this 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 Enforcement and any member of the Board ever assigned as a case advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or her attorney, if any, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such case 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 Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Pamela Collins Pink, R.N.
Respondent
4650 Juniper Street
LaCrosse, WI 54601

Date

John R. Zwieg
Attorney for Complainant
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Date