

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

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

ANITA R. HILT, LPN,
RESPONDENT.

:
:
:
:

FINAL DECISION AND ORDER
LS0811068NUR

Division of Enforcement Case # 05NUR284

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

Anita R. Hilt, LPN
2564 9th Dr.
Adams, WI 53910

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 & 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 Wisconsin 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. Anita R. Hilt, LPN, the Respondent herein, date of birth 3/27/59, is duly licensed as a practical nurse in the state of Wisconsin, license #24066-31. This license was first granted on 5/29/81.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 2564 9th Drive, Adams, Wisconsin 53910.
3. At all times relevant to this action, Respondent was working as a licensed practical nurse at the Wisconsin Dells Health and Rehabilitation Center in Wisconsin Dells, Wisconsin.
4. The patient was 91 years of age had been a resident of the facility since 3/31/05. She had been diagnosed with a seizure disorder, Alzheimer's disease with dementia, history of abdominal aortic aneurysm, hypertension and cerebral vascular disease. She had a history of falls both before and after her admission to the facility.
5. At approximately 10:00 a.m. on 6/9/05, the nurse on duty obtained vital signs for the patient including blood pressures of 160/80 (lying), 156/87 (sitting) and 137/84 (standing) and a pulse of 68.
6. At approximately 11:15 a.m. on 6/9/05, the patient fell and sustained a contusion below her right eye. The patient's physician's office was notified by a nurse on duty of the fall at 11:40 a.m. The physician returned the telephone call at approximately 1:00 p.m. and was notified by a nurse on duty of the patient's vital signs as obtained at 10:00 a.m. and as obtained and recorded thereafter as follows:

Time	Blood Pressure	Pulse
11:15 a.m.	163/78	68
11:30 a.m.	174/95	66
11:45 a.m.	169/95	66
12:00 p.m.	171/69	67
12:40 p.m.	173/89	68
01:05 p.m.	189/95	79

The physician ordered Lisinopril 5 mg. daily with directions to monitor the patient and report any changes in condition to him.

7. The Respondent went to the patient's room at 3:00 p.m. to obtain the patient's vital signs and to perform a neuro check. The Respondent noted that the patient was alert and oriented and complained of a headache. The Respondent obtained a blood pressure of 201/122 and a pulse of 80.
8. The increase in the patient's blood pressure to 201/122 at 3:00 p.m. on 6/9/05, given the patient's history of a fall at 11:15 a.m. with evidence of head trauma, was a significant change in the patient's condition. The Respondent did not report this significant change in the patient's condition to the patient's physician.
9. At approximately 4:18 p.m. on 6/9/05, the patient was found unresponsive in her room. The Respondent evaluated the patient and found her to be unresponsive to verbal and painful stimuli. The patient was transported to the hospital where a CT scan of the patient's head was performed. The CT scan indicated a large acute right subdural hematoma. The patient died on 6/12/05.

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 and Order, pursuant to Wis. Stat. § 227.44(5).
2. The conduct described in paragraphs 3 through 9, above, constitute a violation of Wis. Admin. Code § N 7.03(1)(c) in that Anita R. Hilt failed to report a significant change in the patient's condition to the patient's physician.

3. The Wisconsin Board of Nursing has the authority pursuant to Wis. Stat. § 440.22 to assess the costs of this proceeding against Anita R. Hilt.

4. This Final Decision and Order shall not be construed as a Board of Nursing finding of caregiver misconduct, abuse or neglect of a client, or misappropriation of the property of a client within the meaning of Wis. Stat. §§ 48.685 and 50.065.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Anita R. Hilt is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. The license of Anita R. Hilt to practice as a licensed practical nurse in the state of Wisconsin is hereby limited as follows:

a. Anita R. Hilt will within 6 months of the effective date of this Final Decision and Order take and satisfactorily complete 6 credit hours of continuing education in the evaluation and monitoring of patients with recent histories of trauma, including head trauma, with consideration of evaluation and significance of trends in vital signs. The continuing education courses taken in satisfaction of this requirement will be pre-approved by the Board of Nursing or its designee. Anita R. Hilt will attend each of the courses taken in satisfaction of this requirement in its entirety.

b. Anita R. Hilt will within 60 days of completion of the required continuing education courses provide evidence satisfactory to the Board of Nursing that she has attended each of the approved courses in its entirety. This evidence will include:

i. Certifications of attendance from the sponsoring organizations; and

ii. Affidavit given under oath by Anita R. Hilt verifying that she has
attended each of the approved courses in its entirety.

c. Anita R. Hilt will pay all costs of attending the approved courses and of verifying attendance at the courses.

d. All requests for approval of courses, certifications of attendance, affidavits and other documents required to be filed with the Board of Nursing will be mailed, faxed or delivered to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone no. (608) 267-3817
Fax (608) 266-2264

e. The limited license will terminate and Anita R. Hilt's license to practice as a practical nurse will be restored to full and active status without the necessity for a petition to the Board of Nursing or an appearance before the Board of Nursing if:

i. The Department Monitor receives the documentation of satisfactory completion of the

continuing education courses as required by this Order, and

ii. All terms of this Final Decision and Order have been complied with.

IT IS FURTHER ORDERED that:

3. Anita R. Hilt will pay the costs of this proceeding in the amount of \$ 900.00 within 120 days of the effective date of this Final Decision and Order. Payment will 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

4. 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 Anita R. Hilt's license. The Board of Nursing, 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 Anita R. Hilt fails to pay costs as ordered or fails to comply with the ordered continuing education, Anita R. Hilt's license #24066-31 SHALL BE SUSPENDED, without further notice or hearing, until Anita R. Hilt has complied with the terms of this Order.

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

Wisconsin Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

11/6/08
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

ANITA R. HILT, LPN, :
RESPONDENT. :

STIPULATION

LS# _____

Division of Enforcement Case # 05NUR284

It is hereby stipulated between Anita R. Hilt, LPN, Respondent herein, and Gilbert C. Lubcke, for the 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, case #05NUR284. 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 neither admits nor denies the factual assertions set forth in the Findings of Fact in the Final Decision and Order but agrees to permit the Board of Nursing to adopt and enter the attached Final Decision and Order as the final resolution of this matter. 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 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 of Nursing ever assigned as a case advisor in these investigations may appear before the Board in open or closed session, without the presence of the Respondent or her attorney, 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. The Respondent understands that the attorney or other agent for the Division of Enforcement or the case advisor, in responding to questions asked by the Board, may be required to provide information to the Board of Nursing which may be construed by the Board of Nursing as not weighing in favor of accepting this proposed Stipulation and Final Decision and Order. The Respondent shall not contend that any responses made by the attorney or other agent for the Division of Enforcement or by the case advisor in response to questions posed by the Board constitute a failure by the attorney or other agent for the Division of Enforcement or by the case advisor to speak in support of this agreement. Additionally, any such board 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.

Anita R. Hilt, LPN
2564 9th Dr.
Adams, WI 53910

Date

Gilbert C. Lubcke, Attorney
Division of Enforcement
Wisconsin Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Date