

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 :
 : FINAL DECISION AND ORDER
SANDRA L. MARKUS, L.P.N., : LS0807247NUR
RESPONDENT. :

[Division of Enforcement Case # 05 NUR 043]

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

Sandra L. Markus, L.P.N.
513 E. Main Street
Waupun, WI 53963

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. Sandra L. Markus, L.P.N., Respondent herein, whose date of birth is November 11, 1955, is duly licensed by the Wisconsin Board of Nursing as a licensed practical nurse in the state of Wisconsin under license number 31020, which was granted on November 22, 1991.
2. Respondent's last known address filed with the Department of Regulation and Licensing is 513 E. Main Street, Waupun, WI 53963.
3. At the time of the events set out below, Respondent was employed by the State of Wisconsin Department of Corrections as a licensed practical nurse and worked in the Infirmary at Dodge Correctional Institution in Waupun, Wisconsin.
4. On January 17, 2005, Respondent administered 12 units of regular insulin to Patient RH without a physician's order or being directed to do so by the registered nurse to whom she was assigned.
5. Patient RH had a physician's order for insulin but not for the time Respondent gave it to him.
6. On January 19, 2005, Respondent provided Patient TS with sublingual morphine via his gastric tube without a physician's order or being directed to do so by the registered nurse to whom she was assigned.

7. The physician's order written for Patient TS on December 30, 2004 stated: "Morphine 10mg sublingual q 3 hours PRN/breakthrough pain." The medication was clearly ordered to be given sublingually and not to be instilled in the patient's gastric tube.

8. Respondent's conduct as described herein constitutes an act or omission demonstrating a failure to maintain competency in practice and methods of nursing care.

9. Respondent is currently employed at Waupun Correctional Institution and no longer works with patients.

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's conduct as herein described constitutes a violation of Wis. Stat. § 441.07(1)(c) and Wis. Admin. Code § N 7.03(1)(b).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Stipulation of the parties is hereby accepted.

IT IS FURTHER ORDERED that:

1. Respondent, Sandra L. Markus, L.P.N., is REPRIMANDED for the above conduct.

2. The license of Sandra L. Markus, L.P.N., as a licensed practical nurse in the State of Wisconsin shall be limited to require that, within six (6) months of the date of this Order, Ms. Markus shall obtain a total of twelve (12) hours of continuing education in the following areas: nine (9) hours in medication administration and three (3) hours in the role of the LPN.

3. Ms. Markus shall be responsible for obtaining the courses required under this Order, for providing adequate course descriptions to the Department Monitor, and for obtaining pre-approval of the courses from the Board of Nursing, or its designee, prior to commencement of the programs.

4. Within thirty (30) days following completion of the courses identified in paragraph 2 above, Ms. Markus shall file with the Board of Nursing certifications from the sponsoring organization(s) verifying her attendance at the required courses.

5. All costs of the educational programs shall be the responsibility of Ms. Markus.

6. Upon successful completion of the educational programs and payment of the costs set forth below, the license of Sandra L. Markus, L.P.N., shall be restored to unlimited status.

IT IS FURTHER ORDERED that:

7. Respondent shall, by October 24, 2008, pay costs of this proceeding in the amount of eight hundred thirty-five (\$835.00) dollars. Payment shall be made to the Wisconsin Department of Regulation and Licensing, and mailed or delivered to:

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

Fax (608) 266-2264
Telephone (608) 267-3817

8. In the event that Respondent fails to pay costs as ordered or fails to comply with the ordered continuing education, Respondent's license (#31020) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

Wisconsin Board of Nursing

By: Marilyn Kaufmann
A Member of the Board

7/24/08
Date