

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

GEORGIA L. MASON, L.P.N.,
RESPONDENT

FINAL DECISION
AND ORDER

ORDER 0001652

The State of Wisconsin, Board of Nursing, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Hearing Examiner, makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Hearing Examiner, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Board of Nursing. Let a copy of this order be served on the respondent by certified mail.

A party aggrieved by this decision may petition the board for rehearing within twenty (20) days after service of this decision pursuant to Wis. Stats. sec. 227.12. The party to be named as respondent in the petition is Georgia L. Mason.

A party aggrieved by this decision may also petition for judicial review by filing the petition in the office of the clerk of the circuit court for the county where the judicial review proceedings will be held and serving the board and other parties with a copy of the petition for judicial review within thirty (30) days after service of this decision pursuant to Wis. Stats. sec. 227.16. The party to be named as respondent in the petition is the State of Wisconsin Board of Nursing.

Dated this 20 day of May, 1982.

Marjorie Lundquist RN

pc017-552

BEFORE THE STATE OF WISCONSIN
BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :

GEORGIA L. MASON, L.P.N., :
RESPONDENT. :

PROPOSED DECISION

The parties to this proceeding for the purposes of Wis. Stats.
sec. 227.16 are:

Georgia L. Mason
Route 1, Box 78
Endeavor, Wisconsin 53930

Board of Nursing
1400 East Washington Avenue, Room 174
P.O. Box 8936
Madison, Wisconsin 53708

The hearing examiner has received a Stipulation by the respondent,
Georgia L. Mason, and complainant's attorney, Wayne R. Austin. A copy of
the Stipulation is attached hereto.

Based upon the Stipulation, the hearing examiner recommends that the
Board of Nursing adopt as its final decision in this case the following
Findings of Fact, Conclusions of Law, and Order, which are the terms agreed
upon and stipulated to by the parties.

FINDINGS OF FACT

1. Georgia L. Mason (Mason) was at all times relevant to the Complaint
filed in this matter duly licensed under the provisions of Chapter 441, Wis.
Stats., to practice as a trained practical nurse in the State of Wisconsin
(license #22158, issued December 5, 1979).

2. Mason's address is Route 1, Box 78, Endeavor, Wisconsin 53930.

3. At all times relevant to the Complaint filed in this matter, Mason
was employed by, and practiced as a licensed practical nurse at, Jefferson
Meadows Care Center, Baraboo, Wisconsin, a nursing home.

4. On April 14 and April 16, 1980, Mason failed to administer
prescribed medications to a number of patients under her care and attempted
to conceal that failure by falsifying patient records to show those medica-
tions as having been administered. More specifically, an audit on April 16,
1980, of medications administered to twelve patients under Mason's care
revealed that only four of those patients had been given their medications
as ordered and that five of those patients had been given no medications
at all.

5. There is no evidence that any patient suffered harm as a result of Mason's actions.

6. Mason's actions, as set forth above, are explained in part by the fact that she was in a state of extreme psychological stress at the time in question. Factors contributing to that state included a recent demand by her husband for a divorce; her father's recent hospitalization after having suffered a stroke; and the fact that her thirteen-year-old daughter had run away from home and could not be found.

7. In May, 1980, Mason began psychological treatment with Dr. John Matthews, a psychologist practicing at Crossroads Clinic at Oxford, Wisconsin. She continues to receive treatment from Dr. Matthews on a bi-weekly basis. A letter from Dr. Matthews evaluating Mason's treatment and present emotional ability to practice as a licensed practical nurse is attached hereto and made a part hereof.

8. Mason has not practiced or sought to practice as a trained practical nurse since the time of the incidents complained of.

CONCLUSIONS OF LAW

1. The State of Wisconsin Board of Nursing has jurisdiction to take disciplinary action in this proceeding pursuant to section 227.07(5), Wis. Stats.

2. Failure to administer prescribed medications and falsification of patient records constitutes negligence and moral delinquency as defined by sections N11.03(1)(c) and N11.03(3)(c), Wis. Adm. Code.

3. Pursuant to section 441.07, Wis. Stats., negligence and moral delinquency constitute grounds for revocation, limitation or suspension of Mason's license, or for reprimand by the Board of Nursing.

ORDER

IT IS HEREBY ORDERED that the license of Georgia Mason to practice as a licensed practical nurse in the State of Wisconsin (#22158) be suspended for a period of six months; the suspension to be effective the date of the final decision of the Board of Nursing.

IT IS HEREBY FURTHER ORDERED, that following reinstatement of Mason's license to practice as a licensed practical nurse, her license shall be limited for a period of six months as follows:

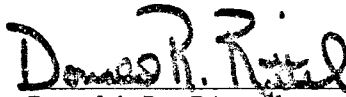
(a) Within thirty days of reinstatement of her license, Mason shall submit to the Board a written report prepared by a psychologist or a psychiatrist reflecting that Mason has, during the preceding six month period, participated in a regular course of psychological treatment and further reflecting that Mason is emotionally capable of safely and successfully practicing as a licensed practical nurse.

(b) At the end of six months following reinstatement of her license, Mason shall submit to the Board a second written report prepared by a psychologist or a psychiatrist, reflecting that Mason has, during the preceding six month period participated in a regular course of psychological treatment and further reflecting that Mason continues to be emotionally capable of safely and successfully practicing as a licensed practical nurse.

[In the event the Board of Nursing does not accept this proposed decision as its final decision in the matter, the case shall be returned to the hearing examiner for further proceedings, along with a statement from the Board as to why the proposed decision was not approved.]

Dated at Madison, Wisconsin, this 21st day of April, 1982.

Respectfully submitted,



Donald R. Rittel
Hearing Examiner

DRR:bjs
770-405

BEFORE THE STATE OF WISCONSIN
BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :

STIPULATION

GEORGIA L. MASON, L.P.N., :
RESPONDENT. :

On May 12, 1981, a formal complaint was filed in the above-captioned matter, the gravamen of which was that the Respondent, Georgia L. Mason, had, on two occasions in April, 1980, failed to administer medications to a number of patients under her care at the nursing home at which she was employed, and had falsified patient records to reflect that those medications had in fact been administered.

On the same date the complaint was filed, a hearing was ordered pursuant to Chapter 441, Wis. Stats., and Chapter RL 2, Wis. Adm. Code, for the purpose of considering the allegations of the complaint. Thereafter, on July 2, 1981, Donald R. Rittel, Designated Hearing Examiner in the matter, requested the parties to appear at a prehearing conference to be held on July 30, 1981. On that date, Complainant appeared by his attorney, Wayne R. Austin, and Respondent appeared without legal counsel. At the conference, Ms. Mason admitted the material allegations of the complaint and discussion was relative to the circumstances giving rise to her actions. In light of Ms. Mason's admissions and explanations, it was agreed that no fact finding hearing was necessary and that the matter could be handled through a stipulated agreement. That stipulation, which is set forth below, is intended by the parties to be a full disposition of all complaints presently pending against Respondent and is further intended as a recommended basis for the final decision of the Board of Nursing.

ACCORDINGLY, Complainant, by his attorney, and Georgia L. Mason, in consideration of the terms and conditions of this stipulation, and in consideration and upon condition of acceptance of this stipulation by the Board of Nursing, do hereby stipulate:

1. That Respondent freely and voluntarily waves her rights to a public hearing and to be represented by legal counsel in this cause.

2. That the parties agree the following facts are true and further agree to the adoption by the Board of Nursing of findings of fact not inconsistent therewith:

(a) Georgia L. Mason was at all times relevant to the Complaint filed in this matter duly licensed under the provisions of Chapter 441, Wis. Stats., to practice as a trained practical nurse in the State of Wisconsin (license #22158, issued December 5, 1979).

(b) Mason's address is Route 1, Box 78, Endeavor, Wisconsin 53930.

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Dept. of Reg. & Lic.
Hearing Examiner

(c) At all times relevant to the Complaint filed in this matter, Mason was employed by, and practiced as a licensed practical nurse at, Jefferson Meadows Care Center, Baraboo, Wisconsin, a nursing home.

(d) On April 14 and April 16, 1980, Mason failed to administer prescribed medications to a number of patients under her care and attempted to conceal that failure by falsifying patient records to show those medications as having been administered. More specifically, an audit on April 16, 1980, of medications administered to twelve patients under Mason's care revealed that only four of those patients had been given their medications as ordered and that five of those patients had been given no medications at all.

(e) There is no evidence that any patient suffered harm as a result of Mason's actions.

(f) Mason's actions, as set forth above, are explained in part by the fact she was in a state of extreme psychological stress at the time in question. Factors contributing to that state included a recent demand by her husband for a divorce; her father's recent hospitalization after having suffered a stroke; and the fact her thirteen-year-old daughter had run away from home and could not be found.

(g) In May, 1980, Mason began psychological treatment with Dr. John Matthews, a psychologist practicing at Crossroads Clinic at Oxford, Wisconsin. She continues to receive treatment from Dr. Matthews on a bi-weekly basis. A letter from Dr. Matthews evaluating Mason's treatment and present emotional ability to practice as a licensed practical nurse is attached hereto and made a part hereof.

(h) Mason has not practiced or sought to practice as a trained practical nurse since the time of the incidents complained of.

3. That the parties agree to the adoption by the Board of Nursing of conclusions of law consistent with the following:

(a) The State of Wisconsin Board of Nursing has jurisdiction to take disciplinary action in this proceeding pursuant to Section 227.07(5), Wis. Stats.

(b) Failure to administer prescribed medications and falsification of patient records constitutes negligence and moral delinquency as defined by sections N11.03(1)(c) and N11.03(3)(c), Wis. Adm. Code.

(c) Pursuant to section 441.07, Wis. Stats., negligence and moral delinquency constitute grounds for revocation, limitation or suspension of respondent's license, or for reprimand by the Board of Nursing.

4. That the parties agree to the adoption by the Board of Nursing of an order as follows:

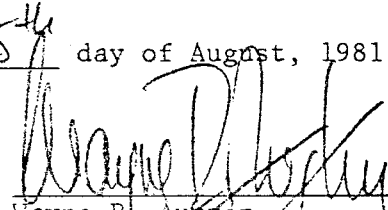
IT IS HEREBY ORDERED that the license of Georgia Mason to practice as a licensed practical nurse in the State of Wisconsin be, and hereby is, suspended for a period of six months from the effective date hereof.

IT IS HEREBY FURTHER ORDERED, that following reinstatement of her license to practice as a licensed practical nurse, said license shall be limited for a period of six months as follows:

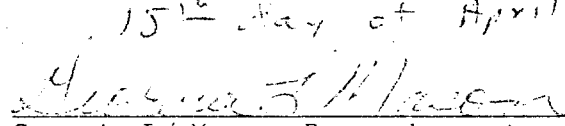
(a) Within thirty-days of reinstatement of her license, Mason shall submit to the Board a written report prepared by a psychologist or a psychiatrist reflecting that Mason has, during the preceding six month period, participated in a regular course of psychological treatment and further reflecting that Mason is emotionally capable of safely and successfully practicing as a licensed practical nurse.

(b) At the end of six months following reinstatement of her license, Mason shall submit to the Board a second written report prepared by a psychologist or a psychiatrist, reflecting that Mason has, during the preceding six month period, participated in a regular course of psychological treatment and further reflecting that Mason continues to be emotionally capable of safely and successfully practicing as a licensed practical nurse.

Dated at Madison, Wisconsin this 5th day of August, 1981.


Wayne R. Austin
Attorney for Complainant

Dated at Waukegan, Ill. Wisconsin, this 15th day of April, 1982.


Georgia L. Mason, Respondent

The Guidance Center

Serving Marquette County

117 E. 2nd St.
P.O. Box 248
Westfield, WI 53964

Phone: (608) 742-5518
(608) 296-3331

April 15, 1982

Wayne R. Austin, Atty.
Dept. of Regulation of Licensing
P.O. Box 8936
Madison, WI 53708

RE: Georgia L. Mason

Dear Atty. Austin:

This letter is in response to a request by Mrs. Mason to provide the State Board of Nursing with treatment information and a summary of psychological functioning which pertains to the disciplinary proceeding against Mrs. Mason as reflected in the enclosed stipulation.

I met with Mrs. Mason, thirty five years old, on May 12, 1980. At that time she was experiencing severe emotional problems related to the sudden break-up of her marriage with Raymond Mason, including depression and rather severe anxiety. She came to the Guidance Center five times during this period. In March of 1981 I met with her again regarding the reconciliation counseling requirement to obtain a divorce from Raymond. Recently I began meeting with her again regarding the return of her son, Raymond Hiatt, to her custody after a number of years in a group treatment home.

Georgia is not mentally ill. Any decision she made which brought her to the attention of The State Board of Nursing was done with her being able to distinguish clearly between right and wrong. However, during the period in question of April, 1980, Mrs. Mason was experiencing a great deal of psychological stress. It is apparent that her judgment is adversely affected during times when she is anxious or depressed. This is reflected in her interpersonal relationships, in her parenting, and probably was the case when she had the problems administering the medications in her previous job.

At this time Mrs. Mason is intimately involved in the parenting of her two sons. We have been meeting every week in regard to these children and we meet regularly with the Portage School District staff where these children attend school. Mrs. Mason has shown an ability to profit from our contacts as she is able to implement some strategies and procedures to deal with these children more effectively. Some aspects of discussions that we conduct relate to her judgment in responding to her children. She has demonstrated an ability to reflect on these matters and to show positive changes. However, there is a distinct possibility that if severe emotional stress resulted from failure to obtain close involvement

April 15, 1982

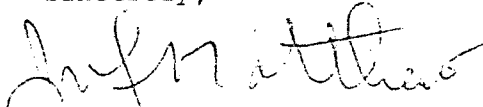
with a male friend, the resulting emotional condition might result in a deterioration of her ability to make adequate interpersonal judgments.

Whether a reduction in her capacity to make adequate judgments^{inter} personally would extrapolate into judgments related to her performance as a nurse is a matter of conjecture.

Her situation has changed from what it was in April of 1980, both in her personal life and with regard to her experience of being a member of the nursing profession. In her personal life she is emotionally involved with a man and this relationship has provided emotional stability for her which extends into various areas of her functioning. I view this relative stability, however, to be in large part a function of close involvement with a man. With regard to experience as a member of the nursing profession, she is in danger of losing her license which she wishes not to happen. The reality of this consequence of possibly losing her license may be sufficient to reduce these kinds of serious problems in the future; however, I cannot state this with certainty.

I have not conducted psychological testing with Georgia. My impressions of her have been gained from our sessions together. If you have any further questions in this matter, please let me know.

Sincerely,



Jon S. Matthew, Ph.D.
Clinical Psychologist

JSM: cs



State of Wisconsin

DEPARTMENT OF REGULATION & LICENSING

Lee Sherman Dreyfus
Governor

Ann Jansen Haney
Secretary

1400 E. WASHINGTON AVENUE
MADISON, WISCONSIN 53702
(Enter at 77 North Dickinson Street)

MAILING ADDRESS
P.O. Box 8958
MADISON, WISCONSIN 53708

May 24, 1982

Ms. Georgia Mason
Route 1, Box 78
Endeavor, WI 53930

RE: In the Matter of the Disciplinary
Proceedings Against Georgia Mason

Dear Ms. Mason:

On May 20, 1982, the Wisconsin Board of Nursing took action to accept the Findings of Fact, Conclusions of Law and Order in the above matter. This action suspends your license for a period of six months: May 20, 1982 to November 20, 1982. Following reinstatement of your license, it will be further limited for a period of six months: November 20, 1982 to May 20, 1983.

We are enclosing a copy of the Final Order for your review.

Please submit your current renewal card to the Bureau office immediately. It will be returned to you at the end of the period of suspension with an indication that it is limited.

If you have any questions regarding the Board action, please contact us.

Sincerely,

BUREAU OF NURSING

Paula R. Possin
Director

PRP/ms
Encl.

cc: Wayne Austin