

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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FILE COPY

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SR. BONNIE ANN KUHN, R.N.,
RESPONDENT.

FINAL DECISION AND ORDER

ORDER 0001699

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

Sr. Bonnie Ann Kuhn
325 South Walnut Avenue
New Hampton, IA 50659

Board of Nursing
P.O. Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708-8935

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 petition in this instance would be captioned with Sr. Bonnie Ann Kuhn as the respondent.

A party aggrieved by this decision who is a resident of this state 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 party aggrieved resides within thirty (30) days after service of this decision. A party aggrieved by this decision who is not a resident of this state must file the petition for judicial review in the office of the clerk of circuit court for Dane County. A party aggrieved must also serve 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.

The parties in this matter agree to the terms and conditions of the attached stipulation as the final disposition of this matter, subject to the approval of the Board. 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. That Sr. Bonnie Ann Kuhn, R.N., herein after called the respondent, held a license as a registered nurse at all times relevant to this complaint.
2. That the respondent's nurse license is number 31908.
3. That the respondent's address is 325 South Walnut Avenue, New Hampton, IA 50659.
4. That on July 11, 1985, the Iowa Board of Nursing took disciplinary action against the respondent's Iowa nursing license. A copy of the Statement of Charges and of the Stipulation, Settlement and Order of the Iowa Board of Nursing are attached as Exhibit A and Exhibit B.
5. That on October 1, 1975, the respondent voluntarily surrendered her Wisconsin registered nurse license as part of a settlement in an action before the Wisconsin Board of Nursing involving substance abuse. The respondent's Wisconsin registered nurse license was reinstated on January 15, 1981.
6. That the respondent is currently caring for her elderly mother and has no immediate plans to attempt to return to the practice of nursing.

CONCLUSIONS OF LAW

1. That by having her Iowa Board of Nursing registered nurse license suspended as set forth above, the respondent has had disciplinary action taken against a license in another state, contrary to Wis. Adm. Code sec. N 11.03(3)(d) which constitutes unprofessional conduct as defined by Wis. Adm. Code sec. N 11.04(1).
2. That the board has jurisdiction to take disciplinary action for violations of board rules and unprofessional conduct pursuant to section 441.07, Stats.

Therefore, it is hereby ORDERED:

1. That the Board of Nursing accepts the voluntary surrender of the respondent's license as a registered nurse, number 31908.
2. That the above Findings of Fact, Conclusions of Law and this Order constitute a Final Decision in this matter and may be considered along with the contents of the investigative file should the respondent ever reapply for licensure.

BOARD OF NURSING

By: Suzanne Schuler
A Member of the Board (PRP)

1-21-86
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
SR. BONNIE ANN KUHN, R.N.,	:	
RESPONDENT.	:	

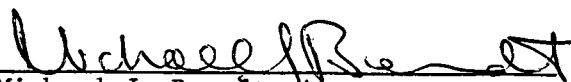
The parties in this matter agree and stipulate as follows:

1. That the respondent understands that by signing this Stipulation she voluntarily and knowingly waives her rights in this matter, including the right to a hearing on the allegations against her, at which time the state has the burden of proving the allegations by clear, satisfactory and convincing evidence, the right to confront and cross-examine the witnesses against her, the right to call witnesses on her own behalf and to compel their attendance by a subpoena, the right to testify in her own behalf, 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 and the Wisconsin Administrative Code.

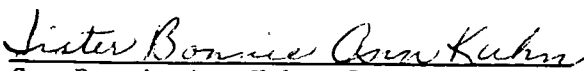
2. The respondent and the complainant urge the Board of Nursing to adopt this Stipulation and the attached Final Decision and Order in this matter.

3. If the terms of this Stipulation and Final Decision and Order are not acceptable to the board, then neither of the parties shall be bound by any of the terms.

4. The respondent agrees to forward her licensure card to the Board of Nursing within 10 days of the Board's acceptance of this Stipulation and attached Final Decision and Order.


Michael J. Berndt, Attorney
Division of Enforcement

1/10/86
Date


Sr. Bonnie Ann Kuhn, R.N.
Respondent

1-13-86
Date

BEFORE THE BOARD OF NURSING
OF THE STATE OF IOWA

In the matter of:)	
)	Case No. 81-031
SISTER BONNIE KUHN)	
325 S. Walnut Avenue)	
New Hampton, IA 50659)	
)	STATEMENT OF CHARGES
Certificate and License No.)	
066099,)	
)	
Respondent.)	

COMES NOW, the Complainant, David M. Lamb, and states:

1. He is the Associate Director, Regulation and Enforcement, of the Iowa Board of Nursing, and makes and files this Statement of Charges solely in his official capacity.

2. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 17A, 147, 152 and 258A.

3. On or about July 23, 1981, Sister Bonnie Kuhn was issued certificate and license number 066099 by the Board to engage in the practice of a registered nurse, subject to the laws of the state of Iowa and the rules of the Board.

4. Certificate and license number 066099 was issued by endorsement from the state of Wisconsin.

COUNT I

The Respondent is charged with violation of Iowa Code § 147.55(3) in that the Respondent engaged in unethical conduct as defined in Iowa Administrative Code, Nursing Board 590-4.17 (4)(j) by misappropriating medications from her place of employment for her own use.

Exhibit A

COUNT II

The Respondent is charged with violation of Iowa Code § 147.55(3) in that the Respondent engaged in unethical conduct as defined in Iowa Administrative Code, Nursing Board 590-4.17 (4)(k) by using inaccurate or false information in patient or agency records when she signed out medications for patients which were then not given to the patients.

THE CIRCUMSTANCES

1. Sr. Kuhn was granted licensure by endorsement, from the state of Wisconsin, by the Board in July 1981.

2. Sr. Kuhn's Wisconsin license had been voluntarily surrendered, on October 1, 1975, as settlement in a Wisconsin Board action involving substance abuse.

3. Sr. Kuhn was hired as a staff nurse at St. Joseph Community Hospital, New Hampton, Iowa on June 8, 1981 and remained employed in that capacity until being suspended from her duties on January 30, 1985.

4. The Director of Nursing, Lon Butikoffer, R.N. had noted that over the period commencing approximately the end of September 1984 through late January 1985, significant shortages and discrepancies were noted involving Meperidine HCl (Demerol).

5. Mr. Butikoffer began to monitor the usage of Meperidine throughout the facility. In December 1984, Sr. Kuhn took a four week leave of absence to care for her mother. During the time Sr. Kuhn was gone, no shortages or discrepancies were noted.

6. When Sr. Kuhn returned to work in January 1985, the shortages began again.

7. On the night of January 28-29, 1985, a number of incidents occurred that convinced Mr. Butikoffer that Sr. Kuhn was the person responsible for the Meperidine discrepancies. These were:

a. The charge nurse on the shift, Ann Sullivan, R.N., noted that Sr. Kuhn seemed to be gone from the nurses station quite a bit and had not been seen in the halls.

b. Ms. Sullivan found Sr. Kuhn in a darkened patient's room. This was not one of Sr. Kuhn's patients and she had no reason to have been standing in this patient's room in the dark.

c. The pharmacy assistant on the shift, Helen Clark, L.P.N., noted Sr. Kuhn had been changing figures on the narcotics sheet and acting very nervous.

d. A nurse on the oncoming shift, Mary Ann Howe, R.N., was checking one of her patients who was charted as having received two injections of Meperidine during the night of January 28-29, 1985. This patient told Ms. Howe that he had not received any injections during that shift.

e. Ms. Howe reported this to the med-surg supervisor, Loyce Horan, R.N., who, along with Ms. Clark, checked the narcotics count sheet and noted that Sr. Kuhn had signed out approximately 300 mg of Meperidine during the night.

(1) The Meperidine was signed out to two patients; one had no current order for Meperidine.

(2) It was noted that Sr. Kuhn had signed out a 100 mg tubex to administer a 50 mg dosage, as ordered, and claimed to have

"wasted" the additional 50 mg. There were 50 mg tubexes available for use that night.

f. Mr. Butikoffer questioned both patients for whom Sr. Kuhn had signed out Meperidine on January 28-29, 1985. Both patients denied having received any injections during that shift.

g. Mr. Butikoffer pulled all the patient charts of Sr. Kuhn's patients from the night of January 28-29, 1985. He found that she had documented having given one patient two injections during the night, which the patient denied. On another patient, Mr. Butikoffer found that Sr. Kuhn had signed out Meperidine on the narcotic sheet but had not charted its administration in the patient's chart.

h. After reviewing the charts, Mr. Butikoffer asked Ms. Horan to call Sr. Kuhn and ask her to return to the hospital.

i. Upon returning to the hospital, Sr. Kuhn was confronted with the apparent discrepancies in her charting by Mr. Butikoffer and Ms. Horan.

j. Mr. Butikoffer advised that Sr. Kuhn told them that she had not given the Meperidine to the patients.

k. Mr. Butikoffer states that Sr. Kuhn denied having misappropriated the drugs for her own use, but stated that she had "wasted" the Meperidine.

8. On March 11, 1985, the Complainant met with Sr. Kuhn and interviewed her concerning this matter.

a. Sr. Kuhn admitted that she had indeed misappropriated a portion of the medications on the night of January 28-29, 1985.


Sr. Kuhn stated that she had wasted a portion of the Meperidine, but also had administered a portion of it to herself.

b. Sr. Kuhn stated that she had, sporadically, over the preceeding two or three months, been diverting Meperidine for her own use.

c. Sr. Kuhn stated that since being "laid off" from the hospital, she had been seeing a drug counselor, Jon Stober, at the Northeast Council for Substance Abuse in Waterloo, Iowa.

WHEREFORE, the Complainant prays that a hearing be held in this matter, and that the Board take such action as it may deem to be appropriate under the law.

Dated this 20th day of March, 1985.



David M. Lamb
Associate Director
Enforcement

Complainant

Therese Weeg
Attorney for Complainant
Office of Attorney General
State of Iowa

This is to certify that this is a true and accurate copy of documents in the files of the Iowa Board of Nursing

November 22, 1985



David M. Lamb
Associate Director, Enforcement

BEFORE THE BOARD OF NURSING
OF THE STATE OF IOWA

In the matter of:)	
)	
SISTER BONNIE KUHN)	CASE NO. 81-031
325 South Walnut Avenue)	
New Hampton, Iowa 50659)	
)	
Certificate and License No.)	STIPULATION, SETTLEMENT,
066099,)	AND ORDER
)	
Respondent.)	

COMES NOW the Respondent, Sister Bonnie Kuhn, and stipulates to the following:

1. The Respondent is currently licensed by the State of Iowa as a registered nurse as evidenced by license no. 066099.
2. The Respondent admits that the Iowa Board of Nursing has jurisdiction in this matter.
3. The Respondent admits that she received notice of hearing on May 1, 1985.
4. The Respondent consents to her license being placed on probation by the Iowa Board of Nursing for a period of four years from the date the order is executed. During the probationary period the Respondent agrees not to work in nursing for the first year beginning with the date the order is executed.
5. The Respondent agrees to submit written reports on her progress to the office of the Iowa Board of Nursing every three months during the probation.
6. The Respondent agrees to notify the Board within one week of employment in nursing or a change in employers if the employment relates to nursing.

Exhibit B

7. The Respondent agrees that if employed in nursing during the period of probation, her employer(s) shall submit progress reports to the Iowa Board of Nursing every three months during the probation.

8. The Respondent agrees to participate in treatment as planned by the Northeast Iowa Council on Substance Abuse until such time as the Council discharges her from its care. The Council shall submit progress reports to the Iowa Board of Nursing every three months until the Respondent has been discharged.

9. The Respondent agrees to attend Narcotics Anonymous or Alcoholics Anonymous during the period of probation and agrees to find a sponsor in that organization who shall submit attendance reports to the board office every three months during the period of probation.

10. The Respondent agrees that attendance between the Northeast Iowa Council on Substance Abuse and Narcotics Anonymous or Alcoholics Anonymous shall be at least two times per week during the period of probation.

11. The Respondent agrees that if employed in nursing during the period of probation, she shall have random drug screens done at her employer's request. In the first six months of employment the drug screens shall be done at least once a month. After the first six months of employment the screens shall be done at the discretion of the employer. The cost of the drug screens shall be borne by the Respondent.

12. The Respondent agrees not to use or receive or distribute in any unlawful manner, any controlled substance, except upon a valid prescription for her own valid medical reasons. All use of controlled substances shall be reported to the office of the Iowa Board of Nursing.

13. The Respondent agrees that if she has any positive drug screens that Iowa Code § 17A.18(3) (1985) shall be utilized to order a summary suspension of her license.

14. The Respondent agrees to obtain some continuing education credits required for the renewal of her license in substance abuse, pain or legal or ethical aspects of nursing.

15. The Respondent agrees to return her current active license within one week of the execution of the order. The Board shall issue a temporary license marked "Probation" until the probationary period has ended.

16. The Respondent agrees that if at any time during this probation she violates any provision of this settlement, the Iowa Board of Nursing may hold a hearing pursuant to Iowa Code § 258A.3(2)(a) (1985) because of failure of the licensee to comply with the stipulations of this order.

17. The Respondent has been made aware of the allegations in the Statement of Charges and voluntarily and with full knowledge enters into this Stipulation, Settlement, and Order.

18. Successful completion of the probationary period shall constitute a final disposition of this matter.

Approved By:

Theresa O. Weeg
Theresa Weeg
Attorney for Complainant

Date:

1/11/85

Ann E. Mowery
Ann E. Mowery, R.N., M.N.
Executive Director
Iowa Board of Nursing

Date:

May 22, 1985

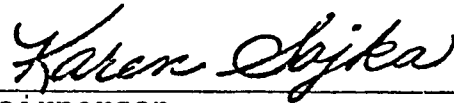
Sister Bonnie Kuhn
Sister Bonnie Kuhn
Respondent

Date:

ORDER

Based upon this settlement signed by the Respondent and the aforementioned stipulation, it is hereby ordered that the license of Sister Bonnie Kuhn, license no. 066099 be placed on probation for four years from the date this order is executed. Following the first year of probation the Respondent may practice as a registered nurse for the remaining three years of the probationary period subject to any requirements as set forth in the stipulation. The Respondent shall conform to the provisions of paragraphs 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 which are incorporated into this order. Any violation of this order by the Respondent may subject her to a hearing for further action on her license. Successful completion of the probationary period shall constitute a final disposition of this matter.

Dated this 11th day of July, 1985



Chairperson
Iowa Board of Nursing

Theresa Weeg
Assistant Attorney General
2nd Floor, Hoover Building
Des Moines, Iowa 50319
Telephone (515) 281-8760

Attorney for Complainant

This is to certify that this is a true
and accurate copy of documents in the
files of the Iowa Board of Nursing

November 22, 1985



David M. Lamb
Associate Director, Enforcement