

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JOHN M. EDWARDS, L.P.N.,	:	
RESPONDENT	:	ORDER 000 1636

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

John M. Edwards
7318 Hubbard Avenue
Middleton, WI 53562

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

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

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. 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. John M. Edwards, L.P.N. (D.O.B. 03/13/53); is duly licensed as a practical nurse in the state of Wisconsin (license # 16529). This license was first granted on August 22, 1975.
2. Mr. Edwards's most recent address on file with the Wisconsin Board of Nursing is 7318 Hubbard Avenue, Middleton, WI 53562.
3. At all times relevant to this action, Mr. Edwards was working as a licensed practical nurse at William S. Middleton Memorial Veterans Hospital, 600 Highland Avenue, Madison, Wisconsin.
4. On several occasions during 1987 and 1988, Mr. Edwards failed to follow hospital procedures for the charting and wasting of narcotics for patients assigned to his care.

CONCLUSIONS OF LAW

By the conduct described above, John M. Edwards is subject to disciplinary action against his license to practice as a practical nurse in the state of Wisconsin, pursuant to Wis. Stats. sec. 441.07(1)(c) and (d), and Wis. Adm. Code secs. N7.03(1) and 7.04(1) and (15).

NOW, THEREFORE, IT IS HEREBY ORDERED that the license of John M. Edwards shall be SUSPENDED for a period of not less than TWO (2) years.

(a) IT IS FURTHER ORDERED that the SUSPENSION shall be STAYED for a period of three (3) months, conditioned upon compliance with the conditions and limitations outlined in paragraph (b), below.

i. John M. Edwards may apply for consecutive three (3) month extensions of the stay of suspension, which shall be granted upon acceptable demonstration of compliance with the conditions and limitations imposed upon Mr. Edwards's practice during the prior three (3) month period.

ii. If the Board denies the petition by Mr. Edwards for an extension, the Board shall afford an opportunity for hearing in accordance with the procedures set forth in Wis. Adm. Code Ch. RL 1 upon timely receipt of a request for hearing.

iii. Upon a showing by Mr. Edwards of successful compliance for a period of two (2) years with the terms of paragraph (b), below, the Board shall grant a petition by Mr. Edwards for return of full licensure.

(b) CONDITIONS OF STAY

i. Upon request of the Board, Mr. Edwards shall provide the Board with current releases complying with state and federal laws, authorizing release of monitoring and employment records.

ii. During the period of limitation, Mr. Edwards shall remain free of alcohol while on duty, and as well remain free of prescription drugs and controlled substances not prescribed for valid medical purposes.

iii. Mr. Edwards must submit to witnessed monitoring for controlled substances and alcohol in his blood and/or urine on a upon the request of his employer.

Mr. Edwards shall be responsible for obtaining a monitoring facility and reporting system acceptable to the Board, as well as for all costs incurred in conjunction with the monitoring and reporting required.

To be an acceptable program, the monitoring facility shall agree to provide witnessed gatherings of specimens for evaluation. It shall further agree to file an immediate report directly with the Board of Nursing if a drug or alcohol screen proves positive; if Mr. Edwards fails to appear upon request; or if Mr. Edwards refuses to give a specimen for analysis upon a request authorized under the terms of this Order.

iv. Mr. Edwards shall arrange for quarterly reports to the Board of Nursing from his employer evaluating his work performance as well as the results of any screens requested by the employer.

v. Mr. Edwards shall report to the Board any change in employment status, change of residence address or phone number, within five (5) days of any such change.

(c) Mr. Edwards may petition the Board in conjunction with any application for an additional stay to revise or eliminate any of the above conditions.

(d) Violation of any of the terms of this Order may result in a summary suspension of Mr. Edwards's license; the denial of an extension of the stay of suspension; the imposition of additional conditions and limitations; or the imposition of other additional discipline.

(e) This Order shall become effective ten (10) days following the date of its signing.

BOARD OF NURSING

By: Reginald Johnson RN
A Member of the Board

6-28-90
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
JOHN M. EDWARDS, L.P.N.,	:	
RESPONDENT.	:	

It is hereby stipulated between John M. Edwards, personally and by his attorney, Susan J. M. Bauman; and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of Mr. Edwards's licensure by the Division of Enforcement (88 NUR 005). Mr. Edwards consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Mr. Edwards understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by clear, satisfactory and convincing evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; 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 him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Mr. Edwards agrees to the adoption of the attached Final Decision and Order by the Board of Nursing.

4. 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.

5. If the Board accepts the terms of this Stipulation, 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.

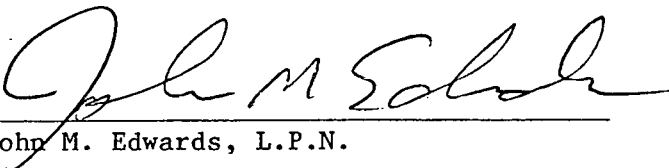
6. The parties to this stipulation agree that the attorney for the Division of Enforcement may appear before the Board of Nursing for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

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DIVISION OF ENFORCEMENT
STATE OF WISCONSIN

7. Attached to this Stipulation is the current licensure card of Mr. Edwards. If the Board accepts the Stipulation, Mr. Edwards's license shall be reissued in accordance with the terms of the attached Final Decision and Order. If the Board does not accept this Stipulation, the license of Mr. Edwards shall be returned to him with a notice of the Board's decision not to accept the Stipulation.

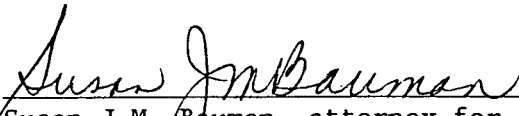
8. Also attached to this Stipulation are copies of Mr. Edwards's health care records for review by the Board in conjunction with their consideration of the attached Final Decision and Order.

9. The Division of Enforcement joins Mr. Edwards in recommending the Board of Nursing adopt this Stipulation and issue the attached Final Decision and Order.



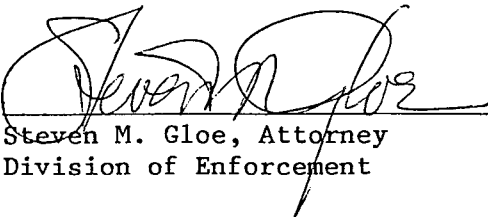
John M. Edwards, L.P.N.

6-12-90
Date



Susan J.M. Bauman, attorney for
John M. Edwards

6/12/90
Date



Steven M. Gloc, Attorney
Division of Enforcement

6.14.90
Date

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Board of Nursing.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Board of Nursing.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Board of Nursing.

The date of mailing of this decision is July 3, 1990.

WLD:dms
886-490



PDF: DE00000000305-19900628

Order Dates:

JUN 28, 1990

Respondent Names:

EDWARDS, JOHN M., L.P.N.

Complaint IDs:

88NUR005

Profession:

LICENSED PRACTICAL NURSE

Boards:

NUR

Short Description:

SUSPENDED FOR 2 YEARS; STAYED FOR 3 MONTHS, CONDITIONED
UPON COMPLIANCE WITH CONDITIONS AND LIMITATIONS EFF 07/08/90.

Case Summary:

ON OCCASIONS DURING 1987 AND 1988 FAILED TO FOLLOW PROCEDURES FOR
THE CHARTING AND WASTING OF NARCOTICS FOR PATIENTS ASSIGNED TO
HIS CARE, WHILE WORKING AS A L.P.N. AT WILLIAM S. MIDDLETON
MEMORIAL VETERANS HOSPITAL.

