

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

FILE COPY

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

JUDITH ANN STECKELBERG, L.P.N.,
RESPONDENT

FINAL DECISION AND ORDER
96 NUR 137

LS9708201NUR

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Judith Ann Steckelberg
RR 1
Lone Rock, WI 53556

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. Judith Ann Steckelberg (D.O.B. 06/08/43) is duly licensed as a practical nurse in the state of Wisconsin (license #18622). This license was first granted on March 11, 1977.
2. Ms. Steckelberg's latest address on file with the Department of Regulation and Licensing is RR 1, Lone Rock, WI 53556.
3. On or about April 30, 1997, Ms. Steckelberg was convicted of one count of forgery [sec. 943.38(3)(a), Stats.], a misdemeanor, and one count of intentional falsification of a health care record [sec. 146.83(4)(a), Stats.], a misdemeanor.

4. On or about May 6, 1994, the Wisconsin Board of Nursing issued an Order imposing discipline against the nursing license of Ms. Steckelberg. Attached as Exhibit A to this document is a true and correct copy of the May 6, 1994, Order of the Board. Exhibit A is incorporated by reference into this document.

6. On or about March 16, 1995 Ms. Steckelberg submitted documentation of education in response to the Board's May 6, 1994, Order. The documentation submitted by Ms. Steckelberg was falsified.

CONCLUSIONS OF LAW

By the conduct described above, Judith Ann Steckelberg is subject to disciplinary action against her license to practice as a practical nurse in the state of Wisconsin, pursuant to sec. 441.07(1)(b) and (d), Stats. and Wisconsin Administrative Code § N7.04(1), (13), (14) and (15).

ORDER

NOW, THEREFORE, IT IS HEREBY **ORDERED** that:

1. The license of Judith Steckelberg shall be **SUSPENDED** for a period of not less than **SIX (6)** months.
2. At any time following six (6) months from the date of this Order, Ms. Steckelberg may petition the Board for an order lifting the suspension of her license. All costs associated with compliance with this section are the responsibility of the respondent.
 - a. A petition submitted under this paragraph shall include: 1) acceptable documentation of full and successful completion by Ms. Steckelberg of all terms and conditions of probation imposed against her as a result of the convictions referred to above. Respondent shall provide the Board with current releases complying with state and federal laws, authorizing release and access to respondent's probation and/or parole records; 2) acceptable documentation of successful completion by Ms. Steckelberg of the NCLEX-PN examination [for an exam taken not more than three (3) months prior to the submission of a petition], and 3) documentation acceptable to the Board of successful completion of at least one hundred (100) hours of community service in a setting where a system exists for independent verification from the sponsoring organization of hours worked and services provided.
 - b. In the exercise of its discretion, the Board in addition may require a personal appearance by Ms. Steckelberg to answer questions in conjunction with her petition.
 - c. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of secs. 227.01(3) and 227.42, Stats.

3. Upon issuance of an Order lifting the suspension, the license of Judith Steckelberg shall be LIMITED as follows:

SCOPE OF PRACTICE: LIMITATIONS AND CONDITIONS

Disclosure

4. Respondent shall provide any current or prospective nursing employers with a copy of this Final Decision and Order immediately upon issuance of this Order, and upon any change of employment during the time in which the Order is in effect.

Required reporting

5. Respondent shall report to the Board any change in employment status, change of residence address or telephone number, within five (5) days of any such change.
6. Respondent shall arrange for quarterly reports from her nursing employer(s) reporting the terms and conditions of her employment and evaluating her work performance. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement. An employer shall report **immediately** to the Department Monitor any violation or suspected violation of the Board of Nursing's Final Decision and Order.

Practice restrictions

7. Until such time as approved by the Board, Respondent shall refrain from nursing employment where she is responsible for patient funds or other assets or for patient billing, and shall work as a nurse only in settings where she has a system of supervision acceptable to the Board that includes independent verification of hours worked and services provided. Respondent shall obtain prior written approval from the Board of her work setting as a nurse.

Petition for Modification of restrictions

8. At any time following completion of three (3) years from the date of an Order lifting the suspension of Ms. Steckelberg's suspension, Respondent may petition the Board to revise or eliminate any of the above conditions. Ms. Steckelberg must have completed at least six (6) months of nursing practice monitored under the limitations and conditions set forth above prior to submission of a petition under this paragraph. The Board of Nursing shall evaluate Ms. Steckelberg's compliance with the terms of limitation set forth above in conjunction with its consideration of a petition. The Board may in its discretion require that Ms. Steckelberg personally appear before the Board in conjunction with a petition to answer any questions the Board may have concerning her rehabilitation. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of secs. 227.01(3) and 227.42, Stats.

Department monitor

9. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports and petitions, and requesting additional monitoring and surveillance. The Department Monitor may be reached as follows:

Department Monitor
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935
FAX (608) 266-2264
TEL. (608) 267-7139

SUMMARY SUSPENSION

10. Violation of any of the terms of this Order or the conditions imposed as a result of this Order shall be construed as conduct imperiling public health, safety and welfare. Should the Board determine that there is probable cause to believe that Respondent has violated the terms of this Order, the Board may order that Respondent's license be summarily suspended, pending hearing and determination of the alleged violation.

EFFECTIVE DATE OF ORDER

This Order shall become effective upon the date of its signing.

BOARD OF NURSING

By: *Tracy A. Burns*
On behalf of the Board

30 JAN. 98
Date

Judy Stuchlik

11-17-97

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
JUDITH ANN STECKELBERG, L.P.N.,	:	92 NUR 178
RESPONDENT	:	

It is hereby stipulated between Judith Ann Steckelberg, personally on her own behalf and James W. Harris, 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 Respondent's licensure by the Division of Enforcement. Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Respondent understands that by the signing of 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, and the Wisconsin Administrative Code.
3. Respondent is aware of her right to seek legal representation and has been provided the opportunity to seek legal advice prior to signing this stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. 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 the consideration of this attempted resolution.

Exhibit A

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.

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

Judy Steckelberg
Judith Ann Steckelberg

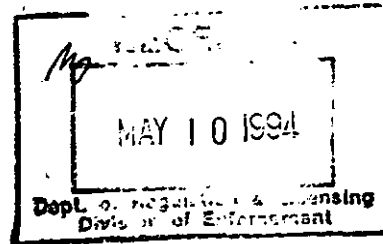
3-17-94
Date

James W. Harris
James W. Harris, Attorney
Division of Enforcement

March 22, 1994
Date

jh

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING



IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

JUDITH ANN STECKELBERG, L.P.N.,
RESPONDENT.

FINAL DECISION AND ORDER
92 NUR 178

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

Judith Ann Steckelberg
Route 1
Lone Rock, WI 53556

Wisconsin 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. Judith Ann Steckelberg (D.O.B. 6/08/43) is duly licensed in the
state of Wisconsin as a licensed practical nurse (license # 18622). This
license was first granted on March 11, 1977.
2. Respondent's latest address on file with the Department of
Regulation and Licensing is Route 1, Lone Rock, WI 53556.
3. On September 22, 1992, Respondent was on duty at the Heartland
Country Village as a charge nurse, and was responsible for the care of
resident CP.

4. Resident CP was found lying on the floor of the bathroom by an aide, who notified Respondent. Respondent instructed the aide to place the resident in a shower chair. Respondent did not accomplish a vital signs check, did not do a neurological assessment, and did not report the change in patient condition to the responsible physician as required by nursing home policy.

5. Respondent recorded in the patient record that the doctor on call had been notified, but the Respondent did not actually speak to the doctor and merely signaled his beeper. Respondent eventually took the patient's vital signs about one hour after the incident, but recorded them in the patient record as though they had been timely taken.

CONCLUSIONS OF LAW

By the conduct described above, Judith Ann Steckelberg is subject to disciplinary action against her license to practice as a licensed practical nurse in the state of Wisconsin, pursuant to Wis. Stats. sec. 441.07(1)(b), (c) and (d), and Wis. Adm. Code sec. N 7.03(1)(a), (b) and (c), and N 7.04(6).

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Judith Ann Steckelberg is REPRIMANDED for her unprofessional conduct in this matter.

2. The license of Respondent is LIMITED as follows:

a) Respondent shall not act as a charge nurse until further order of the Board of Nursing;

b) Respondent shall, within six (6) months of the date of this Order certify to the Board of Nursing successful completion of a course of education and training in patient assessment and medical record documentation. Within two (2) months of the date of this Order, Respondent shall submit to the Board of Nursing for approval a course outline which shall list the name of the institution providing the instruction, the name of the instructor, and the course content.

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

This Order shall become effective upon the date of its signing.

WISCONSIN BOARD OF NURSING

By:


A Member of the Board

Date

5/6/94

jh
doc:

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

JUDITH ANN STECKELBERG, LPN,

Respondent

ORDER MODIFYING THE LIMITED LICENSE

On May 6, 1994, the Board of Nursing issued its Final Decision and Order in the above-captioned matter. By the terms of the board's order, respondent's license to practice as a registered nurse in Wisconsin was limited to require that within six months of the date of the Order, she successfully complete a course of education and training in patient assessment and medical record documentation.

By letter received on August 12, 1994, Ms. Steckelberg notified the board that she had been unable to locate a suitable course on medical documentation, and would be unable to meet this requirement on a timely basis because the first available course will not be presented until late Winter or early Spring, 1995. She therefore requested that the board grant her an extension of the six-month deadline. The board considered the request on September 16, 1994, and orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that paragraph 2.b) of the board's Final Decision and Order in this matter dated May 6, 1994, is hereby modified to read as follows:

b) Respondent shall, by June 1, 1995, certify to the board of Nursing successful completion of a course of education and training in patient assessment and medical record documentation. Prior to undertaking the course or courses, respondent shall submit to the board for approval a course outline which shall list the name of the institution providing the instruction, the name of the instructor, and the course content.

Dated this 21st day of September, 1994.

STATE OF WISCONSIN BOARD OF NURSING

by Jacqueline Johnsrud, R.N., M.S., Chair /CP
Jacqueline Johnsrud, R.N., M.S., Chair

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
JUDITH ANN STECKELBERG, LPN	:	96 NUR 137
RESPONDENT	:	

It is hereby stipulated between Judith Ann Steckelberg, personally and by her attorney, Earl H. Munson: 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 Ms. Steckelberg's licensure by the Division of Enforcement (96 NUR 137). Ms. Steckelberg consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Ms. Steckelberg understands that by the signing of 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, and the Wisconsin Administrative Code.

3. Ms. Steckelberg is aware of her right to seek legal representation and has obtained legal advice prior to signing this stipulation.

4. Ms. Steckelberg agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. 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 the consideration of this attempted resolution.

6. Attached to this Stipulation is the certificate and current licensure card of Judith Ann Steckelberg. If the Board does not accept this Stipulation, the credentials of Ms. Steckelberg shall be returned to her with a notice of the Board's decision not to accept the Stipulation.

7. The parties to this stipulation agree that member of the Board assigned to this case as an advisor and the attorney for the Division of Enforcement may appear before the final decision maker in these proceedings for the purposes of speaking in support of this agreement and answering questions that the final decision maker may have in connection with her or her deliberations on the stipulation.

8. The Division of Enforcement joins Ms. Steckelberg in recommending the Board of Nursing adopt this Stipulation and issue the attached Final Decision and Order.

Judith Ann Steckelberg
Judith Ann Steckelberg

11-17-97
Date

Earl H. Munson
Earl H. Munson,
Attorney for Ms. Steckelberg

11/25/97
Date

Steven M. Gloe
Steven M. Gloe, Attorney
Division of Enforcement

12/1/97
Date

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE BOARD OF NURSING

In the Matter of Disciplinary Proceedings Against

Judith Ann Steckelberg, L.P.N.,

AFFIDAVIT OF MAILING

Respondent.


STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.

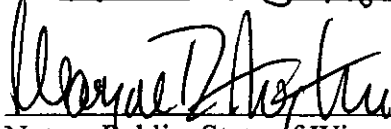
2. On February 4, 1998, I served the Final Decision and Order dated January 30, 1998, LS9708201NUR, upon the Respondent Judith Ann Steckelberg's attorney by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent's attorney and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 221 158 321.

Earl H. Munson, Attorney
One E. Main Street
P.O. Box 2719
Madison WI 53701-2719



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me
this 4th day of February, 1998.



Notary Public, State of Wisconsin
My commission is permanent.

NOTICE OF RIGHTS OF APPEAL

TO: EARL H MUNSON ATTY

You have been issued a Final Decision and Order. For purposes of service the date of mailing of this Final Decision and Order is 2/4/98. Your rights to request a rehearing and/or judicial review are summarized below and set forth fully in the statutes reprinted on the reverse side.

A. REHEARING.

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in section 227.49 of the Wisconsin Statutes. The 20 day period commences on the day of personal service or the date of mailing of this decision. The date of mailing of this Final Decision is shown above.

A petition for rehearing should name as respondent and be filed with the party identified below.

A petition for rehearing shall specify in detail the grounds for relief sought and supporting authorities. Rehearing will be granted only on the basis of some material error of law, material error of fact, or new evidence sufficiently strong to reverse or modify the Order which could not have been previously discovered by due diligence. The agency may order a rehearing or enter an order disposing of the petition without a hearing. If the agency does not enter an order disposing of the petition within 30 days of the filing of the petition, the petition shall be deemed to have been denied at the end of the 30 day period.

A petition for rehearing is not a prerequisite for judicial review.

B. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in section 227.53, Wisconsin Statutes (copy on reverse side). The petition for judicial review must be filed in circuit court where the petitioner resides, except if the petitioner is a non-resident of the state, the proceedings shall be in the circuit court for Dane County. The petition should name as the respondent the Department, Board, Examining Board, or Affiliated Credentialing Board which issued the Final Decision and Order. A copy of the petition for judicial review must also be served upon the respondent at the address listed below.

A petition for judicial review must be served personally or by certified mail on the respondent and filed with the court within 30 days after service of the Final Decision and Order if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing. Courts have held that the right to judicial review of administrative agency decisions is dependent upon strict compliance with the requirements of sec. 227.53 (1) (a), Stats. This statute requires, among other things, that a petition for review be served upon the agency and be filed with the clerk of the circuit court within the applicable thirty day period.

The 30 day period for serving and filing a petition for judicial review commences on the day after personal service or mailing of the Final Decision and Order by the agency, or, if a petition for rehearing has been timely filed, the day after personal service or mailing of a final decision or disposition by the agency of the petition for rehearing, or the day after the final disposition by operation of the law of a petition for rehearing. The date of mailing of this Final Decision and Order is shown above.

The petition shall state the nature of the petitioner's interest, the facts showing that the petitioner is a person aggrieved by the decision, and the grounds specified in section 227.57, Wisconsin Statutes, upon which the petitioner contends that the decision should be reversed or modified. The petition shall be entitled in the name of the person serving it as Petitioner and the Respondent as described below.

SERVE PETITION FOR REHEARING OR JUDICIAL REVIEW ON:

STATE OF WISCONSIN BOARD OF NURSING

1400 East Washington Avenue

P.O. Box 8935

Madison WI 53708-8935