

## 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 THE DISCIPLINARY  
PROCEEDINGS AGAINST

CAROL J. KOEHLER, L.P.N.,  
RESPONDENT

FINAL DECISION AND ORDER  
94 NUR 232

ORDE R0001686

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

Carol J. Koehler  
PO Box 178  
Manawa, WI 54949

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. Carol J. Koehler (D.O.B. 04/26/43) is duly licensed in the state of Wisconsin to practice as a practical nurse (license #32121). This license was first granted on November 20, 1993.
2. Ms. Koehler's latest address on file with the Department of Regulation and Licensing is PO Box 178, Manawa, WI 54949.
3. At all times relevant to this action, Ms. Koehler was working as practical nurse at Wisconsin Veterans Home at King, Wisconsin.
4. The Board of Nursing has received allegations that in the fall of 1994 Ms. Koehler committed nursing errors, including charting and medication

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errors. Ms. Koehler contests the validity of these allegations, but for the purpose of resolution of this action only, agrees to the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

Carol J. Koehler is subject to disciplinary action against her license to practice as a practical nurse in the state of Wisconsin, pursuant to Wis. Stats. §441.07(1) and Wis. Adm. Code §§N7.03(1).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the license of Carol J. Koehler to practice as a practical nurse in the state of Wisconsin (#32121) shall be LIMITED as follows:

1. Ms. Koehler shall arrange for quarterly reports to the Board of Nursing from her nursing employer(s) evaluating her work performance for a period of at least six months. Upon a showing by Ms. Koehler of successful completion of at least six (6) months of nursing employment, Ms. Koehler may petition for return of full licensure.
3. Until such time as approved by the Board,
  - a. Ms. Koehler shall practice only in settings where she works under supervision by another nurse or other licensed health care professional;
  - b. Ms. Koehler shall refrain from nursing employment as a pool nurse, a visiting nurse or other home care practitioner; and
  - c. Ms. Koehler shall refrain from employment as a charge nurse.
3. Upon review of the reports received pursuant to ¶1, above, the Board reserves its right, in its discretion, to require that Ms. Koehler take continuing education in medication administration, charting or other areas approved as relevant to this action.
  - a. In the event that the Board chooses to impose an education requirement under this paragraph, the Board or its designated agent shall inform Ms. Koehler via certified mail of the imposition of the requirement. The requirement shall become effective upon mailing of the notification. Any course work taken in satisfaction of this Order shall be pre-approved by a member or designated agent of the Board of Nursing.
  - b. Within six (6) months from the date of notification from the Board that the Board will require continuing education, Ms. Koehler shall submit documentation of successful completion of at least eight (8) hours of continuing education acceptable to the Board. Acceptable documentation shall include certification from the

sponsoring organization as well as a statement signed by Ms. Koehler verifying that she attended the course(s) in its (their) entirety, completed all coursework, and passed any examinations associated with the relevant course(s).

c. The imposition of an education requirement under this paragraph shall not give rise to a contested case within the meaning of Wis. Stats. §§227.01(3) and 227.42.

4. Ms. Koehler shall provide her employer and any prospective 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 terms of this Order are in effect.
5. Ms. Koehler 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.
6. Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Ms. Koehler's license; the Board in its discretion may in the alternative deny an extension of the stay of suspension or impose additional conditions and limitations other additional discipline for a violation of any of the terms of this Order.

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

BOARD OF NURSING

By:  5-5-95  
A Member of the Board Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
CAROL J KOEHLER, L.P.N.,	:	94 NUR 232
RESPONDENT	:	

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It is hereby stipulated between Carol J. Koehler, personally on her own behalf 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. Koehler's licensure by the Division of Enforcement (94 NUR 232). Ms. Koehler consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Ms. Koehler 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 him, 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. Koehler 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. Ms. Koehler 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 current licensure card of Carol J. Koehler. If the Board accepts the Stipulation, Ms. Koehler's license shall be reissued only in accordance with the terms of the attached Final Decision and Order. If the Board does not accept this Stipulation, the

license of Ms. Koehler 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 the attorney for the Division of Enforcement and the member of the Board of Nursing assigned as an advisor in this investigation 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.

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

Carol J. Koehler L.P.N.  
Carol J. Koehler, L.P.N.

3-17-95  
Date

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

3.20.95.  
Date

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## NOTICE OF APPEAL INFORMATION

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Notice Of Rights For Rehearing Or Judicial Review, The Times Allowed For Each, And The Identification Of The Party To Be Named As Respondent.

**Serve Petition for Rehearing or Judicial Review on:**

THE STATE OF WISCONSIN BOARD OF NURSING.

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

**The Date of Mailing this Decision is:**

MAY 9, 1995.

### 1. 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 sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

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

A petition for rehearing is not a prerequisite for appeal or review.

### 2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision 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.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)



PDF: DE00000001875-19950505

Order Dates:  
MAY 05, 1995

Respondent Names:  
KOEHLER, CAROL J., LPN

Complaint IDs:  
94NUR232

Profession:  
LICENSED PRACTICAL NURSE

Boards:  
NUR

Short Description:  
LIMITED.

Case Summary:  
BOARD HAS RECEIVED ALLEGATIONS THAT SHE COMMITTED NURSING ERRORS,  
INCLUDING CHARTING AND MEDICATION ERRORS. CONTESTS VALIDITY OF  
ALLEGATIONS, BUT FOR PURPOSES OF RESOLVING THE MATTER AGREES TO  
THE ORDER.

