

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

JOAN SWOPE, R.N.,
RESPONDENT.

FINAL DECISION AND ORDER
92 NUR 083

ORDER 0001834

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

Joan Swope
5925 Joanne Drive # 104
Racine, WI 53406

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. Joan Swope (D.O.B. 8/23/62) is duly licensed in the state of Wisconsin as a registered nurse (license # 85388). This license was first granted on September 1, 1983.
2. Respondent's latest address on file with the Department of Regulation and Licensing is 5925 Joanne Drive # 104.
3. At all times relevant to this action, Respondent was employed as a registered nurse at Trinity Memorial Hospital, Cudahy, Wisconsin.

*renewal
used errors
neg / C.E.
med reg*

4. A hospital review of records for the first six months of 1992 revealed numerous documentation errors by Respondent in individual patient records, MAR s and DAR s, as to dates, times, signatures and dosage of prescription medications signed for and administered.

5. Respondent has been in treatment for bipolar disorder and medication disorder. Respondent is under prescription medication for the treatment of her condition.

CONCLUSIONS OF LAW

By the conduct described above, Joan Swope is subject to disciplinary action against her license to practice as a registered nurse in the state of Wisconsin, pursuant to Wis. Stats. sec. 441.07(1)(b) and (c), and Wis. Adm. Code sec. N7.03(1)(a) and (b).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that :

1. Joan Swope is REPRIMANDED.

2. The license of Joan Swope to practice as a registered nurse in the state of Wisconsin is LIMITED as follows:

a. Within six (6) months of the date of this Order Respondent shall certify to the Board of Nursing the successful completion of an approved course of education in medication administration and documentation. Respondent shall submit a course outline for approval by a Board designee within two (2) months of the date of this Order. The course outline shall include the name of the institution providing the instruction, the name of the instructor , and the course content.

b. Respondent shall refrain from access to controlled substances not prescribed for treatment of her own medical condition until she has completed the requirements contained in paragraph "a."; and until she has caused her supervising health care provider to file four (4) successive quarterly reports with the Board evaluating her condition; and has filed a report from her supervising health care provider certifying to the Board that it is safe for Respondent to engage in practice as a registered nurse with access to controlled substances.

c. Respondent shall be responsible for compliance with all of the terms and conditions of this Order. In the event that Respondent fails to timely comply with the provisions of paragraph 2 of this Order, her nursing license shall be suspended, without further notice or hearing, until she has complied.

d. Reports required by this Order shall be submitted in writing to the Department Monitor, Division of Enforcement, P.O. Box 8935, Madison, WI 53708-8935. The Monitor may also be contacted by telephone: (608) 267-7139, and FAX: (608) 266-2264.

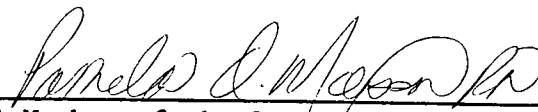
e. Respondent shall execute and file with her supervising health care provider and with the Department Monitor current releases which comply with state and federal laws, authorizing release of records and information concerning her treatment and evaluation to the Board of Nursing and its designee.

4. Respondent shall pay partial costs of the investigation and prosecution of this action in the sum of \$ 200.00 to the Department of Regulation and Licensing within three (3) months of the date of this Order.

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

7/7/95
Date

jh

ATY2/doc: 7080

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
JOAN SWOPE, R.N. ,	:	92 NUR 083
RESPONDENT	:	

It is hereby stipulated between Joan Swope, personally on her own behalf and John S. Schiro, her attorney, 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.

6. Attached to this Stipulation is the current licensure card of Respondent. If the Board accepts the Stipulation, Respondent's license shall be reissued in accordance with the terms of the attached Final Decision and Order.

7. 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.

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

Joan Swope, RN
Joan Swope, R.N.

June 14, 1995
Date

John S. Schiros
John S. Schiros,
Attorney for Respondent
Division of Enforcement

6-16-85
Date

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

June 21, 1995
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.

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:

JULY 10, 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: DE00000001266-19950707

Order Dates:

JUL 07, 1995

Respondent Names:

SWOPE, JOAN, R.N.

Complaint IDs:

92NUR083

Profession:

REGISTERED NURSE

Boards:

NUR

Short Description:

REPRIMANDED. LICENSE LIMITED. PAY COSTS OF \$200.00 BY 10/07/95.

Case Summary:

MADE DOCUMENTATION ERRORS IN INDIVIDUAL PATIENT RECORDS. HAS BEEN IN TREATMENT FOR BIPOLAR DISORDER AND MEDICATION DISORDER. UNDER PRESCRIPTION MEDICATION FOR TREATMENT OF CONDITION.

