

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

DEBORA A. NEE, RN,
RESPONDENT :

FINAL DECISION AND ORDER
95 NUR 137

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

Debora A. Nee, RN
11300 County J
Mount Hope, WI 53816

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. Debora A. Nee, RN (D.O.B. 06/01/60) is duly licensed as a registered nurse in the state of Wisconsin (license #116401). This license was first granted on May 27, 1994.
2. Ms. Nee's most recent address on file with the Wisconsin Board of Nursing is 11300 County J, Mount Hope, WI 53816.
3. At all times relevant to this action, Ms. Nee was working as a licensed registered nurse at Prairie Health Care Center, 1505 East Brunson Street, Prairie du Chien, Wisconsin.

4.. On or about April 2, 1996, Ms. Nee administered in error 4 mg. of hydromorphone to a resident assigned to her care. The orders for this patient were for the administration of morphine.

4. Ms. Nee contests the allegations against her, but in resolution of this matter, consents to entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct described above, Debora A. Nee is subject to disciplinary action against her license to practice as a registered nurse in the state of Wisconsin, pursuant to Wis. Stats. §441.07(1); and Wis. Adm. Code §§N7.03(1)(b) and N.7.04(15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the nursing license of Debora A. Nee, RN (license #116401) is LIMITED as follows:

1. Within not more than nine (9) months from the date of this Order Ms. Nee shall submit documentation of successful completion of
 - a. At least eight (8) hours of continuing education acceptable to the Board in stress management; and
 - b. At least eight (8) hours of continuing education acceptable to the Board in pharmacology and medication administration [or in other areas relevant to this action and approved by the Board].
2. To be acceptable, a course shall be pre-approved by the Department Monitor, as the designated agent of the Board of Nursing. Acceptable documentation shall include certification from the sponsoring organization as well as an affidavit executed by Ms. Nee verifying that she attended the course in its entirety.
3. In the event that Ms. Nee fails to timely comply with the education requirements set forth above, her nursing license shall be suspended, without further notice or hearing, until she has complied with the terms of this Order.

Department monitor

4. 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. The Department Monitor may be reached as follows:

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

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

BOARD OF NURSING

By:

Wendy D. Buerz
A Member of the Board

12 Sept '96
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

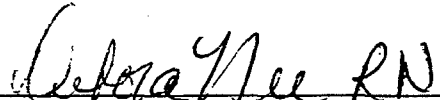
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|------------------------------------|---|-------------|
| IN THE MATTER OF | : | |
| DISCIPLINARY PROCEEDINGS AGAINST : | | STIPULATION |
| DEBORA A. NEE, RN, | : | 95 NUR 137 |
| RESPONDENT | : | |

It is hereby stipulated between Debora A. Nee, 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. Nee's licensure by the Division of Enforcement. Ms. Nee consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Ms. Nee 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 her; 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. Nee 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. Nee 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. 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 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.

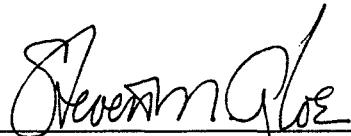
7. The Division of Enforcement joins Ms. Nee in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.



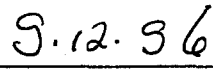
Debora A. Nee, RN



Date



Steven M. Gloe, Attorney
Division of Enforcement



Date

BEFORE THE STATE OF WISCONSIN
BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

DEBORA A. NEE, RN,
RESPONDENT.

AFFIDAVIT OF SERVICE

Katie Rotenberg, being first duly sworn on oath deposes and states that she is in the employ of the Department of Regulation and Licensing, and that on September 16, 1996, she served the following upon the respondent:

Final Decision and Order dated September 12, 1996

by mailing a true and accurate copy of the above-described document, which is attached hereto, by certified mail with a return receipt requested in an envelope properly addressed to the above-named respondent at:

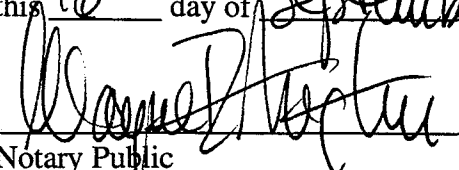
11300 County J
Mount Hope, WI 53816
Certified P 213 148 287

an address which appears in the files and records of the Board of Nursing as the respondent's last known address.


Katie Rotenberg
Department of Regulation and Licensing

Subscribed and sworn to before me

this 16th day of September, 1996.


Notary Public
Dane County, Wisconsin
My Commission is Permanent

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:

STATE OF WISCONSIN BOARD OF NURSING

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

September 16, 1996

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.)