

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :

PAMELA S. HO, RN,  
RESPONDENT :

FINAL DECISION AND ORDER

LS 99091711 NUR

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Division of Enforcement Case No. 98 NUR 196

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

Pamela S. Ho, RN  
2358 S. 98<sup>th</sup> St., Apt. 1  
Milwaukee, WI 53227

Board of Nursing  
PO Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
PO 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. Pamela S. Ho (D.O.B. 09/27/55) is duly licensed as a registered nurse in the state of Wisconsin (license #72841). This license was first granted on April 6, 1979.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 2358 S. 98<sup>th</sup> St., Apt. 1, Milwaukee, WI 53227.
3. At all times relevant to this action, Respondent was working as a registered nurse at Lutheran Home for the Aging, 7500 W. North Avenue, Wauwatosa, Wisconsin.

4. The Department has received allegations that on or about October 26, 1998, Respondent's care and treatment for resident "MG" constituted verbal abuse of a resident, in that a) Respondent utilized inappropriate volume in addressing the resident; b) Respondent told the resident that respondent and other staff did not like the resident; and c) Respondent threatened the resident with ripping the resident's call light out of the wall and leaving the resident stranded. Respondent was terminated from Lutheran Home for the Aging on November 2, 1998, based on these allegations.

5. Respondent contests the allegations referred to in paragraph 4, above, but in resolution of this matter consents to the issuance of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction over this matter, pursuant to sec. 441.07, Stats.

2. The Wisconsin Board of Nursing is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Stats.

3. The conduct described above constitutes a basis for discipline under sec. 441.07(1)(d), Stats. and Wisconsin Administrative Code § N 7.04(4). Furthermore, the Findings of Fact set forth in paragraph 4 above constitute an agency finding of abuse and/or neglect within the meaning of secs. 48.685 and 50.065, Stats.

#### ORDER

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the license of Pamela S. Ho shall be LIMITED as follows:

1. Within six (6) months from the date of this order, Respondent shall submit documentation of successful completion of at least eighteen (18) hours of continuing education or other training acceptable to the Board in the areas of stress/anger management and nursing ethics, or in other areas acceptable to the Board as relevant to Respondent's rehabilitation. To be acceptable, the course or training shall be pre-approved by a member or designated agent of the Board of Nursing. Acceptable documentation shall include certification from the sponsoring organization as well as a statement signed by Respondent verifying that she attended the course in its entirety.

2. Until otherwise ordered by the Board, Respondent shall provide a copy of this Final Decision and Order to any current or prospective employer, where the work setting could involve patient contact or care. Respondent may petition for removal of this condition upon successful completion of all course work required under paragraph 1, above. 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 Wis. Stats. §§227.01(3) and 227.42.

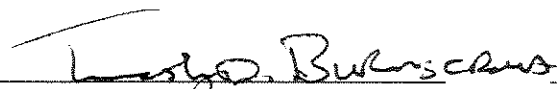
3. In the event that Respondent fails to timely comply with the requirements set forth in paragraph 1 above, her Wisconsin license to practice as a registered nurse shall be SUSPENDED, without further notice or hearing, until she has complied with the terms of this Order.

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 payment of costs and forfeitures, as well as coordinating all requests for approval of education. The Department Monitor may be reached as follows:

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

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

BOARD OF NURSING

By:  17 Sep 94  
On behalf of the Board Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST :	:	
	:	
PAMELA S. HO, RN,	:	STIPULATION
RESPONDENT	:	

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It is hereby stipulated between Pamela S. Ho, personally on her own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (Case No. 98 NUR 196). 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. The parties to this stipulation agree that the attorney or paralegal 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.

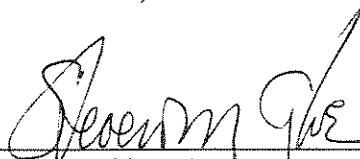
7. Respondent is informed that should the Board adopt this stipulation, the Board's final decision and order is a public record and will be published in the monthly *Report of Decisions* issued by the Department. A summary of the order will be published in the *Wisconsin Regulatory Digest* issued semiannually by the Board. This is standard Department procedure and in no way is specially directed at Respondent.

8. Respondent is further informed that should the Board adopt this stipulation, the Board's final decision and order would constitute an agency finding of abuse within the meaning of secs. 48.685 and 50.065, Stats. Should Respondent wish to work in a Wisconsin DHFS-licensed facility, she may need to pass a Rehabilitation Review through that Department prior to commencement of such employment.

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

  
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Pamela S. Ho, RN

7-20-99  
Date

  
\_\_\_\_\_  
Steven M. Glog, Attorney  
Division of Enforcement

7.28.99  
Date