

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

| | |
|--------------------------|--------------------------|
| JUDY MARIE NOEL, L.P.N., | FINAL DECISION AND ORDER |
| RESPONDENT. | LS00010711NUR |

98 NUR 195

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

*Judy Marie Noel
Route 4, Box 277
CTY X W9842
Crivitz, WI 54114*

*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. Judy Marie Noel (D.O.B. 11/09/56) is duly licensed in the state of Wisconsin as a licensed practical nurse (license # 29150). This license was first granted on November 5, 1987.
2. Respondent’s latest address on file with the Department of Regulation and Licensing is Route 4, Box 277, CTY X W9842, Crivitz, WI 54114.
3. At all times relevant to this action Respondent was employed as a licensed practical nurse at the Bay Area Medical Center, Marinette, Wisconsin.

4. During the period January, 1998, through September, 1998, Respondent wasted 48 doses of medication. The only medications wasted by Respondent were Percocet and Vicodin. Respondent's rate of wasting medications was 99 times that of other nurses working at her jobsite. In 27 instances the reason recorded for wasting was that the patient refused the medication. In 9 instances no reason was recorded. In many instances the wasting was not actually witnessed by another nurse, as required by hospital policy.

5. During the period January, 1998, through September, 1998, Respondent was responsible for the following discrepancies on the Controlled Substances Record. The discrepancies involved only Percocet and Vicodin, and included: 32 instances of altering dispensing times, 8 instances of missing dispensing times, 7 instances of recording patient refusing medication but then accepting the same medication within a half hour, 1 instance of recording a patient refusal and a dispensing at the same time, and 1 instance of a patient receiving the wrong medication twice in one duty shift.

6. Respondent acknowledges errors in wasting drugs and documentation, and denies that any of the drugs were diverted.

CONCLUSIONS OF LAW

By the conduct described above, Judy Marie Noel 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), (c), and N 7.04(2), (6) and (15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that :

1. Judy Marie Noel is REPRIMANDED.

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

a. Respondent shall certify to the Board the successful completion of an approved course of training in medication administration and documentation, within 9 months of the date of this order. Within 2 months of the date of this Order, Respondent shall submit to the Board designee an outline of the required training

for approval, which shall contain the name of the institution providing the instruction, the name of the instructor, and the course content.

Failure by Respondent to fully and timely comply with the requirements of this Order shall result in the suspension of Respondent's license to practice as a nurse without further notice or hearing, until such time as full compliance with the provisions of this Order has been attained.

b. Until certification of completion of the required training, Respondent shall not engage in direct patient care.

c. Until further Order of the Board, Respondent shall cause her nursing employer to provide formal written reports to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, WI 53708-8935 (telephone: 608-261-7838) on a quarterly basis, as directed by the Department Monitor. The reports shall assess Respondent's work performance.

d. Respondent shall provide her nursing employers with a copy of this Order before engaging in any nursing employment.

3. 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".

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

WISCONSIN BOARD OF NURSING

By:

Ann Brewer, RN

January 7, 2000

A Member of the Board

Date